

School of Theology at Claremont



1001 1323500

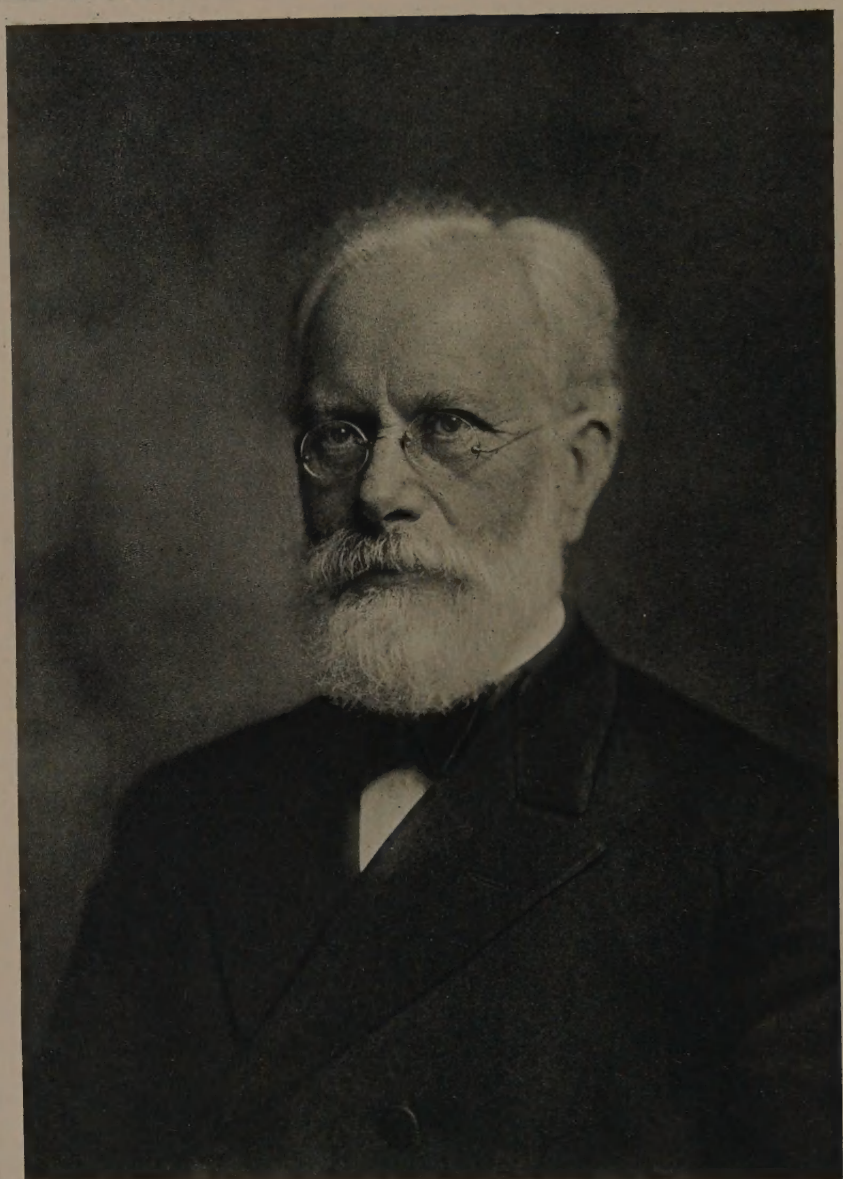


Theology Library

SCHOOL OF THEOLOGY
AT CLAREMONT
California

A 24 -

348/759



Dr. K. Kohler

BM
40
575

STUDIES IN JEWISH LITERATURE

ISSUED
IN HONOR OF PROFESSOR
KAUFMANN KOHLER, PH.D.

PRESIDENT HEBREW UNION COLLEGE, CINCINNATI, OHIO

ON THE OCCASION
OF HIS SEVENTIETH BIRTHDAY

MAY THE TENTH
NINETEEN HUNDRED AND THIRTEEN



BERLIN
GEORG REIMER, PUBLISHER AND PRINTER

1913

FOREWORD.

When the most fitting manner of celebrating the seventieth birthday of the President of the Hebrew Union College was under consideration, the suggestion was made by one of his colleagues of the Faculty of the institution that a volume of essays be published to mark the event. The matter was brought to the attention of the Board of Governors of the College who acted favorably upon the suggestion and resolved to ask the Executive Board of the Union of American Hebrew Congregations to appropriate a sum of money sufficient to cover the cost of publication. The Executive Board made such appropriation, which generous action has made the publication of this volume possible.

The members of the Faculty of the Hebrew Union College were invited to contribute to the volume; further, close friends of Dr. Kohler, here and abroad; also a number of other representative scholars, American and foreign; then, two pupils of Dr. Kohler selected from the classes that have graduated from the Hebrew Union College since his accession to the presidency and finally the elder son of Dr. Kohler who furnished the biography and the librarian of the Hebrew Union College who compiled the bibliography. The committee desire to thank them all for their courtesy and assistance.

In arranging the essays for publication the committee determined that the three essays which are of a biographical and personal nature must naturally open the volume. The remaining papers have been printed in the alphabetical order of the names of the authors. Each writer saw his own essay through the press.

In issuing this volume of essays the members of the committee feel that a well deserved tribute is being paid to one who for forty five years has served the cause of Jewish scholarship with whole hearted devotion and they express the wish that the strength may be given him to continue in the pursuance of his life work with unabated zeal.

Cincinnati, Ohio,
May the Tenth
Nineteen Hundred and Thirteen.

David Philipson
David Neumark
Julian Morgenstern
Committee.

TABLE OF CONTENTS.

	page	
Photograph	II	
1. Biographical Sketch of Dr. K. Kohler by Max J. Kohler, New York	1—	10
2. Kaufmann Kohler as Reformer by Rabbi David Philipson, D. D., Cincinnati	11—	29
3. Dr. Kohler's Systematic Theology by Prof. David Neumark, Ph. D., Cincinnati	30—	38
4. The Decalogue in Art by Israel Abrahams, D. D., M. A., Cambridge, England	39—	55
5. Satzung vom Sinai. הלכה למשה מסיני von Prof. Dr. Wilhelm Bacher, Budapest	56—	70
6. Remarks on the importance of Zachariah ■ ■ Prophet by Prof. Moses Buttenwieser, Ph. D., Cincinnati	71—	73
7. Bemerkungen zur alten jüdischen Liturgie von I. Elbogen, Berlin .	74—	81
8. Kawwana: the Struggle for Inwardness in Judaism by Rabbi H. G. Enelow, D. D., New York	82—	107
9. The Exodus in the Bible by Prof. Henry Englander, Ph. D., Cincinnati	108—	116
10. The Reformation of Hezekiah by Rabbi Ephraim Frisch, Far Rockaway	117—	127
11. Die Zurechtweisung der Seele von Ignaz Goldziher, Budapest ...	128—	133
12. Principles of Religious Instruction in Jewish Schools by Prof. Louis Grossmann, D. D., Cincinnati	134—	146
13. R. Moses 'Hayim Luzzato's "Path of the Righteous" by Emil G. Hirsch, Chicago	147—	164
14. Die Ehe zwischen Onkel und Nichte von Prof. Dr. Samuel Krauß, Wien	165—	175
15. The Sadducees and Pharisees. A Study of their Respective Attitudes towards the Law by Prof. Jacob Z. Lauterbach, Ph. D., Cincinnati	176—	198
16. Dreams as a Cause of Literary Compositions by Prof. Henry Malter, Ph. D., Philadelphia	199—	203
17. τὸν ἐνδοξόν Josh. 4, 4 by Prof. Max L. Margolis, Ph. D., Philadelphia	204—	209
18. The Levirate Marriage in Jewish Law by Rabbi Israel I. Mattuck, A. M., London	210—	222
19. Genesis 14 by Prof. Julian Morgenstern, Ph. D., Cincinnati	223—	236
20. Allegorische Gesetzesauslegung bei den älteren Karäern von Rabbiner Dr. Samuel Poznański, Warschau	237—	259
21. Midrash Fragment by Prof. Solomon Schechter, Ph. D., New York	260—	265
22. Bibliography of Rev. Kaufmann Kohler, Ph. D. 1867—1912 by A. S. Oko, Librarian Hebrew Union College, Cincinnati	266—	301

Biographical Sketch of Dr. K. Kohler.

By

Max J. Kohler, New York.

Dr. Kaufmann Kohler was born in Fürth, Bavaria, May 10th, 1843, being the oldest child of Moritz Kohler and Babette Löwenmayer Kohler. His parents were very pious and orthodox, and such were also Dr. Kohler's early years, and he cherished from birth on, an ardent love and sympathy for Orthodox Judaism at its best, with all its sanctifying and holy ceremonies. He was named "Kaufmann" after one of his grandfathers, and his own father was also a merchant, but one whose heart was more imbued with love for the law and deeds of benevolence, than for accumulation of this world's goods. On his mother's side, he was descended from a long line of rabbis for many generations back, and his grandfather David Löwenmayer, reader at Sulzberg, his uncle Rabbi Löwenmayer of Sulzberg and his cousin Dr. Löwenmayer of Frankfurt on the Oder, followed this ancestral calling; the great-great-great-grandfather of Dr. Kohler was Rabbi Ezra Jehuda Jacob of Sulzberg, who was quite a celebrity in his day, and his ethical will, made in 1755, was printed in the catalogue of the Hebrew manuscripts in the library of Judge Mayer Sulzberger, who is also a descendant of this same scholar. His mother was also a great grand-daughter of Rabbi David ben Joel Dispeck, Rabbi of Metz, whose scholarly career is also outlined in the Jewish Encyclopedia. Kaufmann Kohler's studies began at the school of the Jewish Orphan Asylum at Fürth, of which his father was one of the directors, and he paid for his son's instruction there, which was conducted in company with indigent Jewish orphans under the direction of the teacher, Reb. Simon Bamberger. The late Jewish journalist Moritz Ellinger, who was an inmate of this orphan asylum some thirteen years earlier, penned a beautiful tribute in German to Moritz Kohler, on the occasion of the latter's death, in the „Jewish Reformer“ of March 12th, 1886, as also in his own reminiscences, entitled "From the Old to the New" in the "Menorah" in 1898 (Vol. 25 p. 358). Mr. Ellinger portrayed the scenes of his own childhood,

in describing Reb. Moritz Kohler, while still a young man, attending conscientiously every day at the Orphan Asylum Synagogue, beginning at six o'clock in the morning in summer and at seven in winter, to see that the children were provided for and that every ceremonial was properly observed, for a trustee held no sinæcure, and none was more conscientious or even scrupulous in performance of such holy obligations than he. So also it was my privilege to pay a last tribute of respect to the beloved mother of Kaufmann Kohler, in the shape of a brief necrology in the "American Hebrew", following her death in her ninetieth year on June 18th, 1905, and to note there certain other inherited traits and formative influences in her son's career, her loving and self-sacrificing devotion to husband and children, happiness at being able to contribute to the faith a teacher in Israel, self-belittling appreciation and gratitude over every joy befalling her, pious resignation over every sorrow, love for all the hallowed Jewish rites and ceremonies, and quaint blending of rigid orthodox beliefs and practices, with love for Schiller and Goethe and liberty of thought. In his biographical essay on "David Einhorn", published in the "David Einhorn Memorial Volume", Dr. Kohler has himself admirably portrayed religious conditions in Fürth, as they still were in his own school-days,

When Kaufmann Kohler reached his tenth year, Reb. Bamberger announced that he could not teach him anything further, but that his Talmudic bent ought to be encouraged elsewhere, and he was accordingly sent to study at Hassfurt on the Main for three years under Reb. Schülherr and was Bar Mitzwah there, and moved with him to Hochstädt near Würzburg in May 1857 for a further year, where he studied under Rabbi Lazarus Ottensoser also. Upon leaving there, he studied at Mayence for four years under Dr. M. Lehmann, Rabbi of the orthodox congregation there, and then attended the Yeshibah at Altona for two years under Rabbi Jacob Ettlinger. Thus far he had obtained secular instruction in addition under private teachers, but in the fall of 1862 he began to study for a year and a half at the Gymnasium at Frankfurt on the Main, and continued his Rabbinical studies under Rabbi Samson Raphael Hirsch, the distinguished orthodox leader. It is characteristic of his then frame of mind that he was far too orthodox even to hear Abraham Geiger, who was then lecturing at Frankfurt, much less study under him, though two of Geiger's sons, Ludwig Geiger and Berthold Geiger were his fellow pupils. When only twelve or thirteen years of age, he had preached from the pulpit of his uncle Dr. Löwenmayer, at Sulzberg, and his parents proudly named him "Weiser Salomon", disliking his first-name, "Kaufmann".

He also preached twice as a young man from the Nüremberg pulpit, as well as from the pulpit of his cousin, Dr. Löwenmayer, at Frankfurt. Dr. Kohler gave an excellent account of his religious state and early formative influences in a beautiful tribute, which he paid to his teacher, Samson Raphael Hirsch, before the Central Conference of American Rabbis, on the occasion of the celebration of the hundreth anniversary of that great teacher's birth in 1908 (See "Year Book", Vol. XVIII, pp. 210—14). Dr. Kohler well said: "I gladly offer on this occasion my tribute of regard and admiration for him whom I proudly call my teacher, and to whom I am indebted for the very best part of my innermost life. It may sound paradoxical, and yet it is true, that without knowing it, Samson Raphael Hirsch liberated me from the thralldom of blind authority worship and led me imperceptibly away from the old mode of thinking, or rather of not thinking, into the realms of free reason and research. His method of harmonizing modern culture, with ancient thought, however fanciful, fascinated me. His lofty idealism impressed me. He made me, the Yeshibah Bachur from Mayence and Altona, a modern man. The spirit of his teachings electrified me and became a life long influence to me. Samson Raphael Hirsch was imbued with the spirit of cultured humanity. In all his sermons and writings he deplored the narrowness of the Ghetto view, which estranged Jews from the world in which and for which they should live and work. His teachings were a bold attempt at a revival of Orthodoxy. He tried to galvanize its dry bones by the power of his fertile, resourceful and vigorous mind. . . But no sooner is the scientific method of philological, historical, and psychological investigation applied to it, than the whole structure proves a fabric of cobwebs. This was my experience on entering the University, an enthusiastic follower of Hirsch. I soon found myself beset with doubts, which even my beloved teacher, to whom I poured out my whole heart, could no longer solve for me. The historical perception of things, which Hirsch lacked, had alienated Graetz, who became a follower of Ewald. My critical studies led me in the van of the new school, now known as the Kuenen-Wellhausen school — and I became a follower of Abraham Geiger . . . Romanticism misunderstands real life. We cannot live the dead past over again. Samson Raphael Hirsch had not the faintest idea of the historical growth of language and law, of custom and tradition, nor did he ever recognize the use or necessity of studying the various historical forces, or the strata of either Biblical, Talmudic or post-Talmudic Judaism. . . For us the issue is between Samson Raphael Hirsch, the romanticist, the advocate of uncompromising stability, and Abraham Geiger, the Reform leader,

the inaugurator of historical research and of the progress of the inner life of Judaism."

His Frankfurt Gymnasium studies, and instruction under Samson Raphael Hirsch completed, Kaufmann Kohler, nevertheless, in 1864, felt irresistibly impelled to drink in modern scholarship at the Universities. He himself realized the risk and the costs, and, as he well said in his biography of David Einhorn: "The very intention of entering a University was, as I can testify from my own experience, thirty-five years later, regarded in the circles of orthodoxy in Fürth, as the first step towards apostacy. What the Proverbs say of the evil woman: 'Non est illi qui revertatur ad eam', and 'Numerous are those slain by her' was in all seriousness, applied to university education."

Dr. Kohler is fond of relating the incident of his applying for the "B. H. Oppenheimer Stiftung" university scholarship, explaining to the trustee in charge of it that he, a pupil of Samson Raphael Hirsch, thirsted for a university training with the help of this scholarship, and how, amused at this opportunity of thwarting apparent destiny, this patron awarded the scholarship to him, telling him that the responsibility was his own! Eager to make the most of his opportunities Kaufmann Kohler studied for a year at the University of Munich (May 1864—1865), and then two and a half years at the University of Berlin, and finally for some months at the University of Erlangen, where he took his Doctor of Philosophy degree, November 13th, 1867, after the publication of his thesis "Der Segen Jakobs". Before leaving Frankfurt, he came under the influence of Abraham Geiger, and at the Universities, he was a pupil of Roediger, Dieterici, Droysen, Steinthal, Herman Strack and the elder Delitzsch. He also meantime continued his Hebrew studies at the Talmudic School under Dr. Landsberg, and received the diploma of Rabbi from Dr. Aub in Berlin in 1868, as also from his cousin Dr. Loewenmayer of Frankfurt on the Oder. Besides imbibing the historical point of view at the universities, which he emphasized as wholly lacking in Samson Raphael Hirsch's system, he fell under the influence of the Kuenen-Wellhausen school of Bible criticism, and the principles of evolution, as formulated by Darwin and his followers. Dr. Kohler's "Segen Jakobs" was one of the most radical works of Bible criticism published, and his views were so pronouncedly liberal that it soon became apparent that, despite his strong Jewish religious and historical frame of mind, no Jewish pulpit in Germany was likely to be tendered to him. Accordingly, at Geiger's advice, he continued his university studies with a view to preparing himself further for an academic career, and took post-graduate courses in 1868—1869 at

the University of Leipzig, particularly in Arabic and Persian, becoming also a frequent contributor to Geiger's "Zeitschrift". Through Geiger, he was brought in touch with the distinguished American Rabbis, David Einhorn and Max Lilienthal, and in August, 1869, arrived on American soil to take charge of the pulpit of the Beth El Congregation of Detroit, from which, on recommendation of the three last-named, he had received a call a short time previously. The late Dr. B. Felsenthal, shortly before his death, published a personal letter ("Deborah" New Series, Vol. II, p. 215, July 1902), which he had received from Dr. Geiger under date of May 10th, 1869, in which, in announcing the acquisition of "eine ganz vorzügliche Kraft" for American Jewry in the person of Dr. Kohler, he added: "An ihm wird unsere Richtung einen ebenso kenntnisvollen, wissenschaftlich-vorwärtsstrebenden wie gesinnungstreuen und mutigen Vertreter gewinnen, der die erste Jugendfrische mit der vollen Mannesreife verbindet." Besides various essays contributed to Geiger's "Zeitschrift" and his Ph. D. thesis, Dr. Kohler published a German work on "Capital Punishment" before embarking for America, and also had contributed a few articles to the "Jewish Times" of New York.

Dr. Kohler's activities in Detroit were well summarized by Rabbi Franklin in the semi-centennial "History of Congregation Beth El, Detroit, Michigan", published in 1900 (pp. 34—36); he states that "his administration was in every sense effective and successful, and under his able guidance the congregation progressed with rapid strides. He was much beloved by all and to this day the members of the Temple Beth El regret that his work among them was for so short a period." During his ministry, the Tallith was put aside and the observance of the second day of the holidays was discarded. After two years' service Dr. Kohler accepted a call to the pulpit of Sinai Temple, Chicago, in October, 1871, but when the building of that congregation was destroyed in the Chicago fire of October, 1871, the Detroit congregation eagerly re-elected Dr. Kohler for a term of years, but the Chicago congregation determined to rebuild promptly and declined to release him. Soon after his arrival in America, Dr. Kohler became engaged to Johanna Einhorn, daughter of Rev. Dr. David Einhorn of New York, and they were married August 28th, 1870; his loyal, devoted, conscientious and self-sacrificing companion at once made his home life happy and free from cares, and ever continued to aid and encourage him in all his private and public duties. Soon after Dr. Kohler's arrival in Detroit the famous Philadelphia Rabbinical Reform Conference of November, 1869 took place, and Dr. Kohler was an active participant, though the youngest in age, and with a single excep-

tion," he has for years been the sole survivor of that gathering, which formulated Jewish Reform principles and included as leading spirits Drs. David Einhorn, Isaac M. Wise, Samuel Adler and Samuel Hirsch. At this conference, besides participating in the general discussion of a declaration of principles, proposed by Dr. Einhorn, Dr. Kohler submitted two declarations: one dealt with the actual and appropriate observance of the Sabbath, and the reading of prayers in the vernacular, with retention of Hebrew for only certain specified prayers, and the other with a proposed new translation of the Bible into German and English in the light of modern Jewish scholarship, and its inexpensive publication, and dissemination of the same, as also of a suitable Biblical reader for Sabbath Schools.

Dr. Kohler's services as minister of Sinai Congregation, Chicago, began in October 1871 and continued for eight years. The congregation was pronouncedly reform and had adopted the Einhorn prayer-book already in 1861, being the first Western congregation to do so. It was also the first American synagogue to hold Sunday services, these having been instituted by Dr. Kohler, to supplement the Saturday services, on January 15th, 1874. It is difficult to-day to realize the stir and the opposition which these and other innovations aroused in American Judaism at the time, and the courage and self-reliance their institution and maintenance involved; a glance at the Jewish papers of the day and the other polemical contemporary literature illustrates this, however. Dr. Kohler and his associates realized how essential it was for Judaism's own preservation and in order to maintain it as a power for good among its votaries, to cause it to adapt itself to new conditions, and to evolve a constructive, positive, living, faith out of the shattered remnants of the old, which was threatening to lose all hold upon its professors, even more by reason of purely superficial lip-service, still rendered to it in many quarters, than by the general frank disregard of its rites and ceremonies in practice. In the course of a masterly analysis of Dr. Kohler's pulpit services, contained in a discourse preached by Dr. Emil G. Hirsch (his brother-in-law, and successor in the Chicago pulpit) on "Sinai's Half Century" (Reform Advocate, May 6th, 1911), the latter called attention to the fact that Dr. Kohler's first Sunday lecture was entitled "The New Knowledge and the Old Faith", and he added: "No more succinct statement was ever formulated of our attitude and our aims. To Kohler we owe our enthusiasm for New Knowledge and our devotion withal to the old faith. How both may be reconciled he showed us then." Viewing our religion from the point of view of history and evolution

Dr. Kohler maintained and developed in our faith what is vital and important for us in our own day, and indicated what was ephemeral and outgrown, and contributed a mastery of the history of our religious evolution, to Einhorn's positive and constructive formulation of a living Jewish faith, seeking expression in our vernacular and in present-day terms. Nor is it a mere accident that Dr. Kohler was the first Rabbi, and probably the first minister of any denomination, to accept the Evolution theory, and reconcile the same with belief in God, that theory upon which almost all modern science rests. Unfortunately, the strong attachment of many of the older members of Sinai Congregation at that time to the German language and literature, demanded that the sermons should be preached chiefly in German, and this circumstance, first in Chicago and later for a considerable time also in New York, retarded for a while Dr. Kohler's progress as an English-speaking preacher (though he has long since mastered the spoken as well as written English), and in a measure for a time retarded full exercise of his influence over the younger people, to whom German was a foreign tongue. In addition to his pulpit work, Dr. Kohler was always a frequent contributor in Chicago to the Jewish press and to the scientific journals, notably to the "Jewish Times", the "Jewish Advance", Geiger's *Zeitschrift* and the *Journal of the German Oriental Society*. He was also an examiner and speaker at the first graduation from the Hebrew Union College, at the invitation of the great organizer and master who then presided over the college, Isaac M. Wise.

Upon the retirement of his father-in-law, the Rev. Dr. David Einhorn from the pulpit of Temple Beth El, New York, Dr. Kohler became his successor as minister of that congregation, in September, 1879, and continued to officiate there till he accepted the presidency of the Hebrew Union College as successor to Isaac M. Wise in 1903. As minister of Temple Beth El, he maintained for it its rank as one of the chief reform congregations of the United States. The need of preserving attachment and connection between the younger generation and the synagogue induced him at different periods, to institute Sunday services, to supplement but never to replace the Saturday services, and the first of these series of lectures was instituted soon after his arrival in New York. These encountered opposition from some elements within the congregation, as as well as from many without, for the congregation had been formed under Dr. Einhorn by the fusion of an orthodox organization with his own radical reform Temple. Under Dr. Kohler's leadership, the congregation grew in numbers and influence, until the need for larger

quarters became felt, and the old synagogue building at 63rd Street and Lexington Avenue was abandoned for the magnificent new structure at Fifth Avenue and Seventy-sixth street in September, 1891. The increasing immigration from Eastern Europe, beginning in 1881, gave the orthodox an ever-growing numerical preponderance, and Dr. Kohler became the spokesman for Reform in a series of notable discourses delivered in answer to Rev. Dr. Alexander Kohut's assault on Reform in 1885, published thereafter under the title "Backwards or Forwards". After consulting with Dr. Isaac M. Wise and Dr. Samuel Hirsch, Dr. Kohler called together the "Pittsburgh Conference" of Nov. 1885, which adopted a declaration of principles for Reform Judaism, on the basis of a draft prepared by Dr. Kohler, which is still the most authoritative exposition of our principles (See Philipson's "The Reform Movement in Judaism", pp. 491—492 and citation). Dr. Kohler was one of the most active members of the Committee which prepared the "Union Prayer Book" on behalf of the Central Conference of American Rabbis, and particularly the second volume, and thus secured or preserved in large degree what was best in Einhorn's German prayer-book for the great majority of the reform congregations of the land. He has been an active member of the Central Conference of American Rabbis, since that organization was started in 1889 by Dr. Isaac M. Wise, and since 1903 its Honorary President. He was also, for many years, president of the New York Board of Jewish Ministers. The importance of Sabbath School instruction impressed him from an early day, and he developed the curriculum in the N. Y. Beth El Sabbath School to high standards of excellence, published a "Guide to Instruction in Judaism" in 1899, as also an elaborate essay on methods of teaching of Biblical History, was active for many years in the "Jewish Chautauqua" Movement, and is active in the Jewish Teacher's Institute organization. He also edited the "Sabbath Visitor" from 1881 to 1882, and was editor-in-chief of "The Jewish Reformer" in 1886. He has been an indefatigable contributor to the Jewish popular and scientific press, writing, especially, besides the periodicals already named, for the "Zeitgeist", "American Hebrew", "Menorah", "Reform Advocate", "Jewish Exponent", "Jewish Comment", "Jewish Messenger", "American Israelite", Unity, Hebraica, Jewish Quarterly Review, American Jews Annual, Quarterly Journal of Theology, Hebrew Union College Annual, Reports of the Central Conference of American Rabbis, Judæan Year Book, and the "Liberales Judentum" Zeitschrift, "Allgemeine Zeitung des Judentums", "Zeitschrift für Geschichte der Juden in Deutschland" and "Jüdisches Jahrbuch". He also published a very large number of

sermons, lectures and scientific and popular studies. Dr. Kohler was department editor throughout its publication of the "Jewish Encyclopedia", in charge of Jewish theology and philosophy, and did exhaustive pioneer work in systematizing and developing those important fields of research, and brought his wide knowledge and extensive reading to bear in the revision of many articles in other departments. He edited Dr. Einhorn's German Collected Sermons in 1880 and recently added a biographical essay to the new edition published in 1911 as "The David Einhorn Memorial Volume". He devoted a considerable amount of time to communal activities in New York City, outside of his pulpit work, organized a Young Ladies Charitable Aid Society in connection with his congregation, and took particular interest in developing religious instruction among the immigrants on the lower east-side of New York, and in the religious instruction of Jewish orphans. Shortly before his election to the Hebrew Union College presidency, in 1903, he accepted the invitation of his friend, Dr. Schechter, to deliver a course of lectures on "Jewish Apocryphal Literature" before the Jewish Theological Seminary in New York, and he had previously read a paper, since published, on "The Psalms and their Place in the Liturgy" before Gratz College of Philadelphia.

Dr. Kohler has made close and original studies on "Beginnings of Christianity", apocryphal literature, history of the Essenes and in Jewish ethics, and has been particularly interested for many years in comparative religion, comparative folk lore, Jewish history and history in general, and has collected a large library, in aid of his studies and general reading.

After careful consideration, he was unanimously elected to succeed Dr. Isaac M. Wise as President of the Hebrew Union College on February 19th, 1903 and entered upon his new duties in Cincinnati in September and was formally installed on October 18th, 1903. Upon learning of his proposed withdrawal, his New York congregation asked him to reconsider, but complied with his request to release him, and elected him honorary minister for life, and presented a testimonial of appreciation and regard to him on his sixtieth birthday, May 10th, 1903, on which occasion and at a Judæan banquet in his honor on April 3, 1903 addresses on his varied activities were delivered by Dr. Hirsch, Dr. Schechter, Dr. Silverman, Dr. R. Grossman, Dr. Samuel Schulman, Prof. Richard Gottheil and by officers of the congregation and allied societies (See "Am. Hebrew", account). Dr. Kohler promptly took steps to extend the college courses and enlarge the curriculum, and has rendered the instruction more thorough, scientific, and varied. Besides his general and administrative duties as President of the College, he has filled

the chair of professor of homiletics, theology and Hellenistic Literature. A new College Building has just been erected and dedicated, and everything is being done to develop the work of training future teachers in Israel and imbue them with religious enthusiasm, so conscientiously and untiringly started by Isaac M. Wise. Dr. Kohler's courses at the College enabled him still further to systematize and perfect his studies in the field of Jewish theology, and he published in 1910 a comprehensive German pioneer work which he had been selected out of all living Jewish scholars to prepare by the "Gesellschaft zur Förderung der Wissenschaft des Judentums", in its series "Grundriss der Gesamtwissenschaft des Judentums", entitled "Grundriss einer systematischen Theologie des Judentums auf geschichtlicher Grundlage". Enthusiastic reviews of this work have been published by distinguished Jewish and Christian scholars, including Dr. Samuel Schulman (Jew. Exponent, March 25th, 1910), Rev. Dr. H. G. Enelow (The Temple, March 11, 1910), Dr. Adolph Gutmacher (Jewish Comment, Feb. 18th, 1910), Dr. Max Landsberg (Reform Advocate, May 21, 1910), Prof. D. Neumark (Allg. Zeitung des Judenthums, Vol. 74 p. 608), Israel Abrahams (London "Jew. Chronicle", Dec. 1st, 1911), Dr. Carl Seligmann (in Liberales Judentum), Prof. Wm. A. Brown of the Union Theological Seminary (Am. Journ. of Theology 1911, Vol. 15 p. 128) and Prof. Bousset (in Theol. Literatur-Zeitung, April 13th, 1912).

A number of years ago, under the auspices of the Jewish Publication Society of America, a new Jewish translation of the Bible by American Jewish scholars was attempted and Dr. Kohler undertook the translation of the book of "Psalms" and served as a member of the Committee of Editors, of which Rev. Dr. Marcus Jastrow was Chairman. The only book of the Bible published in this series was Dr. Kohler's translation of the "Psalms", as revised by the Committee. During recent years a more systematic and ambitious effort to prepare and publish a Jewish translation of the Bible was undertaken, jointly, by the Jewish Publication Society and the Central Conference of American Rabbis; and Dr. Kohler has been serving as a member of this joint revision committee which consists, besides, of Dr. Cyrus Adler, Dr. Solomon Schechter, Dr. Joseph Jacobs, Dr. David Philipson, Dr. Samuel Schulman and Dr. Max Margolis. Besides his College work, Dr. Kohler's scientific and literary activities continue to be very comprehensive.

Dr. and Mrs. Kohler have four children, Max J., Edgar J., Rose and Lili.

Kaufmann Kohler as Reformer.

By

Rabbi David Philipson, D. D. Cincinnati.

The reform movement in Judaism was provocative of great agitation in German Jewish communities in the middle decades of the nineteenth century. In no community was this agitation more acute than in the historic congregation of the ancient imperial city Frankfort on the Main. Here all shades of thought were represented running the gamut from the radicalism of the society known as the Friends of Reform to the extreme orthodoxy of the followers of Salomon Abraham Trier. Between these extremes stood the Hauptgemeinde under the guidance of its rabbi Leopold Stein, representative of what we may now call historical reform. The struggle between Trier and Stein which ended in the victory of the reform element, had as one of its results the formation of an orthodox separatist society, which called itself "The Israelitish Religious Society" (Die Israelitische Religionsgesellschaft). In 1851 this society elected as its guide the celebrated rabbi, Samson Raphael Hirsch, who in the course of succeeding years became the acknowledged leader of the neo-orthodox party in Germany. Hirsch's interpretation of Judaism called forth many spirited criticisms from the pen of Abraham Geiger, the greatest of the reform rabbis. These two men were gradually acknowledged to be leaders of their respective parties. By a strange chance, Geiger also settled in Frankfort. After serving as rabbi of the Breslau congregation for over twenty years, he succeeded Stein in the rabbinical office of the Frankfort congregation in 1863. The presence of these two great opponents, Hirsch and Geiger, in the same community made Frankfort on the Main the center of German Jewish religious life in the seventh decade of the nineteenth century. Young men preparing for the rabbinical office flocked thither from all parts of Germany, attracted by the fame of these rabbinical giants. Among these young men was the subject of this sketch. From his subsequent career, one would surmise that his purpose in coming to Frankfort was to place himself under the instruction of Geiger, the

reformer. But nay, not so. It was Samson Raphael Hirsch, the great champion of orthodoxy among whose pupils Kaufmann Kohler enrolled himself. He had come from orthodox surroundings and was a strict conformer to the rule and practice of rabbinical Judaism. However, as was the case with many rising young men at that time, he could not but be affected by the liberal tendencies in the air. He naturally heard much of Geiger and was much attracted by the personality of this great man. Gradually he inclined more and more to the liberal standpoint represented by Geiger and moved further and further from the position of his whilom master Samson Raphael Hirsch. This change from the conservative to the liberal standpoint was indicated by the radical character of the thesis which Kohler presented in 1868 to the faculty of the University of Erlangen for the degree of Doctor of Philosophy. This thesis was a critical exposition of the forty ninth chapter of Genesis (Der Segen Jakobs). The views expressed by the author were so radical and so subversive of the accepted Jewish traditional explanation of this chapter, that there was no place for him as a beginner in the German Jewish pulpit, for a reactionary movement had set in in Germany and the Jewish congregations with very few exceptions were conservative to a degree. Geiger therefore advised his young friend to emigrate to the United States and wrote very laudatory letters concerning him to such prominent Jewish leaders in this country as David Einhorn, Bernard Felsenthal, Samuel Adler and Max Lilienthal. The young aspirant to the rabbinical office, heeding the counsel of Geiger turned his face toward the great republic and arriving on these shores in August 1869, he at once assumed charge of the congregation at Detroit, Michigan, which had elected him as its rabbi, preaching his inaugural sermon on the first Sabbath in September.

However, before leaving Germany he had fully identified himself with the reform movement. He attended the meetings of the synod at Leipzig in the month of July 1869, although he took no active part in the proceedings. Of prime significance is an essay which he published at this time (June and July 1869) in the columns of the new organ of reform Judaism, the Jewish Times of New York on the subject "Judaism and its Capacity for Reform" (Das Judentum und seine Reformfähigkeit)¹). In this early essay from his pen on the subject of Reform Judaism, Kohler takes a decided stand. The influence of Geiger's thought on the young man is very apparent. Geiger had in a hundred ways demonstrated

¹) Jewish Times Vol. 1 (1869) Nos. 16, 17, 19, 20.

the principle of development in Judaism and had made this his point of departure for the justification of the reform movement. The young theologian, following in Geiger's footsteps, contends that the principle of development has been at work in Judaism from early times and that there has been constant change and adaptation to fluctuating conditions.

His inaugural sermon at Detroit September the fourth, 1869¹⁾ developed a similar line of thought. It was a plea for reverence for the past combined with a recognition of the needs of the present. Both of these utterances indicated that a new and capable adherent had entered the lists for the championing of the reform standpoint. There has never been any equivocation on Kohler's part in this matter. In his earliest utterances, as has just appeared, as well as in his latest²⁾ he has set forth the thesis of constant development in Judaism of which the reform movement is the latest phase. In his introductory address before the Conference of Rabbis that assembled at Pittsburg, Pa. in November 1885, pursuant to his call he said: "Judaism is a historical growth and we must find the focus for all its emanations and manifestations, the common feature in all its diverse expressions and forms. We must accentuate what is essential and vital amid its ever changing forms and ever fluctuating conditions. We must declare before the world what Judaism is and what Reform Judaism aims at"³⁾.

Reform Judaism is not a freak but the logical outcome of conditions in the historical experience of the Jews⁴⁾. Historical reform then may be posited as Kohler's standpoint. Although he has been frequently accused of wavering in his advocacy or rejection of practical institutions, still in the main matter he has been constant. His interpretation of the principles of reform Judaism as the outcome of historical development has been a fine contribution to the religious thought of modern Judaism, and will stand as his chief service to the cause to which he has devoted his life. In many ways he has given expression to this. He developed the thesis excellently in his address "Is Reform Judaism Destructive or Constructive" delivered before the Central Conference of American Rabbis at the New York meeting in 1892⁵⁾. In a paper on

¹⁾ Die Eigenschaften eines gottberufenen Führers der Gemeinde Israels. Jewish Times I, Nos. 30 and 31.

²⁾ Theologie des Judentums (Leipzig 1910), 28 ff., 53.

³⁾ Jewish Reformer I, 1.

⁴⁾ "das aus freier geschichtlicher Entwicklung hervorgegangene Reformjudentum", Theologie des Judentums 201.

⁵⁾ Year Book Central Conference of American Rabbis, 1892, p. 101—114.

"Assyriology and the Bible" read before that same body at Detroit in 1903, in speaking of the process of growth in Judaism, he used the striking phrase "Evolution is the master key", and in a fine study on "The Origin and Functions of Ceremonies in Judaism" he states the same idea in the words "We believe in the ever working laws of historical evolution and see in assimilation the force ever at work in Judaism's progress" ¹).

The essence of the reform movement in Judaism then is the principle of progress. In order to make this most clear Kohler has suggested that the name by which the liberal Jewish movement is now known, viz: Reform Judaism be changed to "Progressive Judaism" ²). In regard to this suggestion it must be said that unsatisfactory in many respects as the designation "Reform Judaism" is, still it has now become the accepted term, nor is it feasible to change it. I grant that the phrase "Progressive Judaism" would have been a better connotation had it been used from the beginning, but the name "Reform Judaism" has now become the technical appellation and as such its intent is quite clear as meaning the progressive or liberal phase of Jewish thought and practice. But this progressiveness neither implies nor necessitates a break with the past. Reform Judaism builds upon the past achievements of the Jewish spirit, but it does not merely rest on the past. Kohler has expressed this thought in many ways, but nowhere more strikingly than in one of a fine series of five discourses entitled "Backwards or Forwards", which were delivered in 1885 in answer to the utterances of Dr. Alexander Kohut, the celebrated Talmudic scholar, who when called from Hungary to take charge of the congregation Ahawath Chesed, New York, was hailed by conservative Jewry as its new leader and champion. In the third of these discourses, Kohler said: "We certainly owe reverence and gratitude to our fathers; we ought to honor our sacred bequest of the ages. But does he honor his father better who leaves the inherited estate unimproved and shut up from the influence of modernizing culture, thus allowing it to decay? or is it not more in accordance with true filial love to have it constantly embellished and improved in value and appearance so as to perpetuate the memory of its first owner? Orientalism on our free American soil will not stand the test of time. We want Judaism to be the exponent of a religious truth for all ages and climes. We want to see Judaism practiced in fullest accordance with our occidental civilization. We ought not to be satisfied with erecting monuments of piety to our fore-

¹) Ibid. 1907, p. 210.

²) Ibid. 1898, p. 87.

fathers, but should aim to continue their legacy, and to perpetuate their spirit in and through our lives" ¹).

To continue the living and vital elements of the past then and make them significant for the present, is the purpose of Reform Judaism; we must have the true historical appreciation of the rise, continuance and decay of religious institutions. Reform opposes the principle of stability and standstill, it is true, but for all that it is positive and is as truly the expression of the Jewish spirit in this modern age of freedom as was rabbinism expressive of the Jewish spirit in the mediaeval age of ghettoism. Putting the direct question "What is Reform Judaism?" Kohler answers clearly and pertinently "nothing but the power to preserve the Jew in all the changes of history as Jew, the conservation of the spirit of Israel. It is as positive, as constructive and as conservative a power as Mosaic and Talmudic Judaism ever was. For what is Judaism? Not a bundle of laws and statutes formulated in sections and paragraphs as orthodoxy holds; not a mere creed, as some would have it; not a race and a nationality as the Zionist asserts; Judaism is a great historical force, a religious world power, that has fashioned the great creeds of the world and will continue moulding and influencing the aspirations, the ideas and ideals of men . . . It was Reform Judaism that following the lead of the prophets, laid all stress again upon the essentials instead of upon ceremony, declaring Judaism to be not a system of laws, but the law of truth and righteousness, the law which has been inscribed upon the tablet of the human heart for all to observe and live by" ²).

During his forty or more years of active service as a reform rabbi, and liberal theologian, Kohler has expressed himself on all the questions of importance which have been discussed during this period of religious unrest and ferment. It is quite impossible in the scope of a short paper to indicate all the issues which have been to the fore but the attempt will be made here to touch, however briefly, the more important theoretical and practical questions which have called forth the views of the present leading liberal Jewish theologian in the United States.

Of prime importance is the question of authority. What is the attitude towards the Bible and the rabbinical codes? Wherein lies the warrant of religious power? Like all reformers, Kohler distinguishes between the eternal and the transitory elements in the Bible. "I distinguish in the Bible the kernel from the husk, the grain from the chaff,

¹) Backwards or Forwards 23 (New York 1885).

²) Is Reform Judaism on the Decline? Lecture before the Keneseth Israel Congregation in Philadelphia March 28, 1893.

the spirit from the temporary form" ¹⁾). He teaches a living and continuous revelation not only in the Bible but throughout the experience of the Jewish people, the people of religion and spiritual power. The Bible is of supreme value for us not because of the magic of the written word but because its books contain the expression of the spirit of the Jewish people through whom God revealed himself. "The Bible rises above the rank of every other literature, sacred or profane, as the inspired Book or Collection of Books, not because God wrote or dictated it but because it is impregnated with the spirit of a nation that gave to the world the highest form and ideal of religion, the God whom man will forever yearn after, because the spirit of God rests upon its every page and tale" ²⁾). Not the written word then is the organ of revelation, but the living spirit; and this spirit of God has been revealing itself through man continuously and is still so revealing itself. Even, if for example he does not believe that the Torah in its entirety was written by Moses, he yet believes in the idea of Torah. What Moses taught is incorporated in the Torah and when Isaiah says "l'torah we lith'udah" he refers to a torah. Prophet as well as priest had a torah. The people of Israel lives through the spirit of torat Moshe as developed through the ages ³⁾).

The Jewish people, then is the agent of revelation through the genius of its prophets, psalmists and writers who comprehended the moral nature of God ⁴⁾). The Jewish people as this continuing agent of God's revelation throughout the ages is a prime article of Kohler's theology. For him the Jewish people is the source of authority in Judaism ⁵⁾; he calls this people God's annointed ⁶⁾; the Messiah of the nations ⁷⁾; the priest people ⁸⁾. "I do not believe in the divine origin of the Mosaic law and tradition as our orthodox brethren do", he once wrote, "but I do believe in the divine mission of the Jewish people as the martyr priests of pure monotheism with its true ethics" ⁹⁾). Time and again Kohler has given utterance to this thought and in his masterly work on Jewish theology which contains the ripe fruit of his thinking, he ex-

¹⁾ Backwards or Forwards p. 9.

²⁾ Spiritual Forces in Judaism, Year Book C. C. A. R. 1894, p. 136.

³⁾ Year Book C. C. A. R. 1910, p. 68.

⁴⁾ Theologie des Judentums p. 31.

⁵⁾ Year Book C. C. A. R. 1894, p. 138.

⁶⁾ Backwards or Forwards p. 13.

⁷⁾ Ibid. p. 32.

⁸⁾ Year Book C. C. A. R. 1905, p. 93.

⁹⁾ Unitarianism and Reform Judaism. American Hebrew July 9, 1886.

presses himself similarly in many places on the mission of Israel¹). In this conception of Israel's place in the world, Kohler is a true disciple of that lofty spirit, Deutero Isaiah; for the one as for the other Israel is the "servant of the Lord"; "the suffering Messiah of the peoples", "the light of the nations and the covenant people". These expressions of the ancient prophet are favorite watchwords of the modern theologian for whom this conception is a fundamental of Judaism. As the final word on this subject I quote the very positive statement made some years ago in a paper on the question of the advisability of the formulation of a creed for Reform Judaism: "Certainly the mission of Israel to bring about the Messianic goal of human history by leading nations to the worship of God and the establishment of the reign of truth, justice, love, peace and holiness all over the earth, is one of the great fundamentals of Judaism"²).

The integrity of the Jewish people is so vital an element to Kohler's conception of Judaism that it must be preserved at all costs. Therefore any disintergrating influence must be discountenanced. For this reason Kohler opposes intermarriage. He quotes with approval the strong words written by David Einhorn on this subject. In this passage, which has become classical, Einhorn wrote: "Israel as a nation has disappeared forever; as a peculiar people, as a race with certain qualities of soul and mind which form the life-giving condition and root of its own peculiar historical mission, it has remained and will remain as such until the time when this mission shall have been fulfilled. Indeed I cannot understand how any one who attributes to the Jews a great historical mission in the world, a mission which can only be ascribed to them as a separate people, can approve of intermarriage without sacrificing the very idea of the Jew's mission. Allow it to one Jew, and you have to allow it to all to intermarry, and thus would Judaism consign a race to perdition which has been appointed to preserve and propagate its pure faith. To offer a hand to consecrating intermarriage is according to my firm opinion, furnishing a nail for the coffin of the small Jewish race with its lofty mission. . . . Nor could even the promise of educating the offspring in the Jewish faith induce me to officiate at an intermarriage"³). Kohler himself wrote a lengthy article on the subject "Über Mischehen — ein

¹) Theologie des Judentums p. 242, 248, 249, 250 ff., 266 ff., 281.

²) Year Book C. C. A. R. p. 93.

³) Jewish Times, Jan. 6, 1870, quoted by Kohler in the article "Did the Napoleonic Sanhedrin allow Intermarriage? A correction of an oft-repeated error".

Gutachten" (Intermarriage. A response)¹). In this article he opposes intermarriage unqualifiedly on the ground that it undetermines the Jewish family life; such marriages are usually unhappy; the argument that the children of such a marriage may be saved for Judaism is too jesuitical to appeal to us. Either leave religion out of the matter altogether, and consider marriage merely as a civil act, or insist on a Jewish marriage in accordance with the Jewish spirit and tradition. If we believe in the priestly mission of Israel, we must dread its being swallowed up by other religions, and therefore must oppose intermarriage. He expressed himself similarly in his introductory address before the Pittsburgh Conference. "I most earnestly believe in the mission of the Jew imposed upon him by Divine Providence through his birth, and I must decidedly oppose intermarriage which, aside from the disparaging effect upon the harmonious union in which conjugal happiness rests, jeopardizes the priestly mission of the Jewish people as a religious nation"²). His latest utterances on the subject are in like strain³). The Jew's obligation by birth being so fundamental a factor in Kohler's thought, the question becomes pertinent, what is his attitude on the question of dogma, creed and belief.

Ever since the days of Moses Mendelssohn, who declared that there are no dogmas in Judaism, this question has occupied the attention of Jewish thinkers. In Christianity the acceptance of the creed is a *conditio sine qua non* of salvation. What is the position of Judaism in the matter? How about the Maimonidean creed? should we formulate a creed today? Kohler has taken a clear and decided position on this question. In an exhaustive review of Prof. M. L. Margolis' paper on the Theological Aspect of Reform Judaism, which advocated the adoption of a creed of Reform Judaism to be prepared for final adoption by a synod⁴), Kohler expresses himself as opposed to the formulation of a creed since "any attempt at formulating a creed for one section of Judaism, with the exclusion of the rest, is a dangerous proceeding which should by all means be discouraged, as it tends to create a schism in antagonism to the spirit and tradition of Judaism"⁵). Although voicing his opposition to the formulation of a creed, he approves a clear statement of principles since this is necessary at times as an expression of the state of religious

¹) Zeitgeist I, 176.

²) Jewish Reformer Jan. 8, 1886, p. 4.

³) Year Book Central Conference (1909) p. 90. Theologie des Judentums p. 248.

⁴) Year Book C. C. A. R. 1903, pp. 285—323.

⁵) Ibid. 1905, p. 83.

belief ¹⁾. A formulation of principles cannot be misunderstood as having binding character while a creed has this connotation. In spite of the vogue and popularity of the Maimonidean creed, it remains always true that Judaism has never made the acceptance of a creed the condition of salvation for "birth not creed obligates the Jew" ²⁾. The Jew as a member of the priest people, is consecrated to a high religious task. Judaism is a life; it depends not on the formal acceptance of a creed on the part of its followers, although it has definite principles of belief.

But who shall formulate the principles? How shall the spirit of the Jewish people find expression? If there is no creed shall there be an authoritative body that shall express from time to time the position of Judaism on matters of religious moment? This question brings us to the consideration of the advisability of a Synod for the discussion and decision of moot points of belief and practice. The leaders of Reform Judaism have ranged themselves on opposite sides of the proposition ³⁾. The subject has been frequently discussed, the last time by the Central Conference of American Rabbis at the Indianapolis Convention in 1906 when a majority of the members present voted in opposition to the establishment of a Synod ⁴⁾. On this question Kohler has expressed himself differently on different occasions. In 1882 in an article "What Do we Need?" (Was tut uns not?), while favoring an assembly of competent men who understanding the new conditions will re-interpret Judaism in terms of modern values, he opposed a synod with representatives of all parties as an authoritative body, deciding questions of belief and practice by a majority vote ⁵⁾. Sixteen years later in an exhaustive study entitled "A Jewish Synod" ⁶⁾, he favors the "establishment of a Jewish Synod in this country to lead finally to a pan-Judaic Synod and became a permanent institution". This Synod is to have rabbis and laymen in its membership as representing the Jewish Community, it shall meet "for the purpose of deliberating on the requirements of the time and the necessary steps to be taken in the interests of Judaism". The Synod must be representative of all the people; no schism into two churches is to be tolerated for "the final authority of every law is not the rabbi nor the

¹⁾ Ibid. 1894, 90; 1905, 99.

²⁾ Theologie des Judentums p. 6.

³⁾ Views on the Synod compiled by a committee of the Central Conference of American Rabbis, Baltimore 1905.

⁴⁾ Year Book C. C. A. R. 1906.

⁵⁾ Zeitgeist III, 24 (Chicago 1882).

⁶⁾ Jewish Exponent (Philadelphia) Dec. 30, 1898.

school but the people". The need for a Synod composed of all parties lies in the common dangers that confront all, "we see enlightenment and liberty encouraging a spirit of individualism and indifference, of skepticism and materialism which threatens to undermine all religion, all loyalty to our sacred heritage". He therefore arrives at the conclusion that "A great Jewish Synod in America, composed of the representatives of every congregation, its rabbis and its laymen, of every religious, educational, charitable and social body and thus representing each view and shade of opinion, would be the initiation of a united synagogue, a united Israel. It goes without saying that a Jewish Synod convoked in America would not be invested with the power and authority to enforce its decisions in any other manner or by any other authority than that of moral persuasion. Its very composition, its constitution and mode of election would be based on the principle of mutual recognition and respect. There is but one house of Jacob, one Israel. An American Jewish Synod would offer the world a lesson of fellowship and fraternity among the varying religious opinions, radical and ultra orthodox, as no other religious body in the world could A Jewish Synod in America cannot but finally lead to a Jewish world synod".

Thus also during the discussion of the Sabbath question at the Detroit meeting of the Central Conference of American Rabbis in 1903 he urged that at the next meeting of the Conference the members vote on the subject and that the decision of the Conference be laid before an authoritative organization for its confirmation; how this authoritative organization was to be formed was to be discussed later ¹⁾. At the Cleveland meeting of the Conference in 1905 he expressed himself as opposed to a synod of catholic Israel. Here he summed up the subject as follows: "In the minds of some, a Synod is to consist of rabbis and a few learned laymen; in the minds of others, a Synod may be composed simply of liberal reform rabbis, and members of reform congregations so that the Synod should be the reform center. In the minds of still others, a Synod is to be a catholic Synod, representing all opinions. And when it comes to the question as to whether it should be a catholic synod, we are all afraid. There was a time when I advocated a Synod in America because I was sure that American Judaism would have its progress and reform furthered by the existence of such a Synod. Today matters have changed altogether. Today it would be suicide if we were to advocate a catholic synod where we would be in the minority by all means" ²⁾; and again during the

¹⁾ Year Book C. C. A. R. 1903, p. 60.

²⁾ Ibid. 1905, p. 12.

course of that meeting he declared unequivocally "personally, I am against the Synod".

Now can Kohler be charged with inconsistency here? I think not, for while a man grows in thought, he is likely to change his opinions, especially on practical issues. But on the vital point at issue, it appears to me that Kohler has through it all held to the same thought; whether he opposed or advocated a Synod, it would appear that he has always been opposed to the idea of the Synod as an authoritative ecclesiastical body invested with ecclesiastical powers to enforce its decisions; its only power was to lie in moral persuasion and the weight of authority derived from the dignity of its personnel.

If now in 1882 he opposed the idea of a pan Judaic Synod and favored it in 1898, and again opposed it in 1905 it was because of changing conditions. It appears that for him the calling of a Synod is altogether a practical question. At one time he seemed to feel that a pan Judaic synod was possible and that it would prove the best means of meeting the ills of the house of Israel; new experiences convinced him that this was only a pious hope, and he was brave enough to declare that he had changed his opinion. In this change of base, he has given excellent arguments on both sides of the question.

The Jewish people as an entity being so vital an article in Kohler's conception of Judaism and its development and the Jew being obligated by birth, what of additions to this people from without? What of proselytism and missionary efforts? What of universalism? Judaism being a universal religion according to Kohler's thought and the Jewish people being the agent through whom the universal message is taught, it follows that fellowship with this people shall be extended to all who believe in the life mission of the Jewish people. The mere acceptance of the tenet of monotheism, however, is not sufficient, for those "who would admit proselytes into the fold on no other ground than that they are monotheists place themselves on a platform which ignored historical theology by which a sharp boundary line is drawn between the half proselyte whose claim to heavenly bliss is equal with that of the Jew because he stands on the same ethical ground and the full proselyte who adopts the life mission of the Jewish people whom he joins as a member"¹). But this does not imply a narrow policy in the matter of the admission of proselytes. Since in the view of the reformer, Judaism is not legalism, proselytes should be admitted, if they desire such ad-

¹) Year Book C. C. A. R. 1894, p. 37.

mission, upon their declaration of the acceptance of the tenets of Judaism¹⁾. The doors should be wide open for the reception of proselytes. Although we do not seek to proselytize by active and aggressive measures, still we welcome all who would join us of their own will and conviction²⁾.

But what of the conditions to be imposed on proselytes? The all-important question has been as to the requirement of circumcision in the case of males. In his introductory address before the Pittsburg Conference in November 1885, Kohler in very strong terms pronounced himself as unalterably opposed to demanding this requirement of the adult male proselyte. He declared that circumcision has no sacramental character³⁾. He would however, not be understood as advocating the abolition of circumcision in the case of the new born babe⁴⁾. In this case, following Zunz, he regards circumcision as a Jewish institution symbolic of the sanctity of the Jewish family life⁵⁾. In no case however can the validity of circumcision from the Jewish standpoint be upheld on the ground that it is a hygienic measure. "Either the rite of circumcision is solely religious in its nature, a mark of distinction for the Jewish race, or it is a sanitary measure pertaining to man as such. In the former case you must leave medicine alone. In the other case it ought to be sanctioned by a Congress of Physicians, and recommended to the proper civil authorities everywhere and among all classes"⁶⁾. In other words, the moment that the ceremony of circumcision is defended as a sanitary measure, it ceases to be regarded as the "sign of the covenant" and loses all significance as a particular Jewish rite. It becomes a general sanitary measure whose observance is incumbent on all men.

Similar is Kohler's attitude on the question of the observance of the dietary laws. He has no patience with the position of those who claim that the dietary laws should be observed as a hygienic measure. This is folly. There is but one of two positions possible, either that of consistent rabbinical tradition according to which these laws must be observed because they are the command of God, or that of the reformers who hold that the mission of the Jews as the priest people among the nations can be maintained without this distinctive observance⁷⁾. If these dietary

¹⁾ Ibid. 1892, p. 15.

²⁾ *Theologie des Judentums* p. 312.

³⁾ *Jewish Reformer* Jan. 8, 1886, p. 4.

⁴⁾ "The Sign of the Covenant", *ibid.* p. 8.

⁵⁾ *Theologie des Judentums* p. 327.

⁶⁾ *Year Book Central Conference of American Rabbis* 1892, p. 117.

⁷⁾ *Theologie des Judentums* p. 328.

laws are interpreted as hygienic, however, they cease to be of especial Jewish significance; they must be then looked upon as intended for all mankind. "Our latter day representatives of conservatism fail to see that they deviate from both Rabbinical and Biblical Judaism in trying to find sanitary provisions in the prohibition of things declared as unclean for Jews as a holy people"¹). So wrote Kohler of the neo-orthodox of our day who altogether unclear as to the true significance of the symbolism of ceremony in Judaism, have their own "romantic" or "poetic" interpretation of law and ceremony. He has frequently criticized in more or less caustic manner the unwarranted pretensions of the neo-orthodox leaders in this country and elsewhere who while posing as pillars of rabbinical Judaism are in no way loyal to the law²). His own interpretation of the ceremonial laws is that they are intended to symbolize the character and mission of the people of the covenant; their significance lies in the sanctification of the life of the individual or the Jewish people. When they cease to do this, they have lost all potency. "We cannot shut our eyes to the fact that, as our entire Weltanschauung changes, so must our religious views necessarily change. In order to have a positive religious value and significance, ceremonies must either directly or symbolically express thoughts and feelings that appeal to us while elevating, hallowing and enriching our lives. Romanticism which only loves ancient practices because they are picturesque representations of a dead past is not religion which must above all be the voice of a living truth, of a living God"³).

One of the features of the reform movement is its de-orientalization of ceremonies and institutions and interpreting them in the terms of occidental civilization. As a world religion Judaism must assimilate the best thought in its surroundings. Judaism in an occidental environment must either re-interpret old institutions in terms of occidental culture or create new institutions that shall express the religious outlook of the Jew in these surroundings. In an earlier day the orientalism of the synagogue was the reason for its lack of influence on the surrounding world⁴). Reform Judaism conscious of this, set about revising the

¹) Backwards or Forwards p. 11.

²) See Address delivered at Twenty Fifth Anniversary of Chicago Sinai Congregation, Jewish Reformer May 21, 1886, p. 4. "The Jewish Synod", Jewish Exponent Dec. 30, 1898. Year Book C. C. A. R. 1893, p. 103. Ibid. 1898, p. 83.

³) "The Origin and Function of Ceremonies in Judaism". Year Book C. C. A. R. 1907, p. 222.

⁴) Theologie p. 339.

oriental features, for Orientalism in free America will not stand the test of time ¹⁾. Now a number of striking changes fathered by the reform movement have been due to this occidentalization, if it may be so termed. The bar mitzwah ceremony is a symbol of the oriental milieu in which Judaism was born. It is the sign of the religious superiority of the man over the woman. It represents the oriental conception that man reaches his majority at the age of thirteen, a notion foreign to us. The original meaning of this custom of admission into the membership of the congregation has altogether disappeared ²⁾. A new ceremony has therefore taken its place which expresses our occidental point of view, viz: the confirmation. The ceremony of confirmation does not mean admission into congregational membership but the impressive declaration of the willingness to assume the responsibilities that Judaism imposes ³⁾. By confirming boys and girls we express our modern, occidental thought of the religious equality of the sexes ⁴⁾. One of the great achievements of Reform Judaism has been the vindication of woman's worth and dignity ⁵⁾. She should be admitted to full membership in the congregations for her co-operation is invaluable ⁶⁾.

Another evidence of occidentalization lies in the recognition of the necessity of prayer in the vernacular. Almost from the very beginning the reformers took steps toward this end. The service in Hebrew marked the synagogue as oriental. The introduction of prayers in the vernacular was the indication of the accommodation of the public service to the changes wrought by the new environment. The retention of Hebrew for some of the prayers was declared necessary as a bond with the past but the use of the vernacular in prayer and sermon was a response to the needs of the living present. In one of his earliest utterances Kohler took the stand that just as by the abolition of the Talith and the introduction of family pews the oriental character of the synagogue was abandoned, so also should the prayers no longer be uttered in an oriental tongue, but that we should recognize that God listens to prayer not because it is uttered in Hebrew, but because it is spoken in the language of the heart, — no matter what may be the particular words employed ⁷⁾.

¹⁾ Backwards and Forwards 23, p. 38.

²⁾ Year Book 1907, p. 226.

³⁾ Theologie des Judentums p. 327.

⁴⁾ Year Book C. C. A. R. 1907, p. 226.

⁵⁾ Das Reformjudentum und die Würdigung des Weibes. Jewish Reformer Feb. 12, 1886, p. 12.

⁶⁾ Ibid. Jan. 1, 1886.

⁷⁾ Jewish Times, Vol. II (1870), p. 362.

And so throughout his career he has expressed himself in similar fashion many a time and oft, and not least emphatically in his latest utterance on the subject ¹).

The difficulty of observing the historical Jewish Sabbath in the modern environment has proven for many years one of the most serious of our religious problems. Ever since the subject had its first public discussion at the Breslau Rabbinical Conference in 1846, Jewish leaders have been grappling with the subject. Holdheim and Samuel Hirsch who both advocated the Sabbath transfer to Sunday have had their followers, and the example of Isaac M. Wise, who to meet the situation introduced the late Friday evening service with lecture, found wide acceptance; however, we are as far from a real solution today as we have ever been. While Kohler has expressed himself frequently and forcefully in favour of the retention of the historical Sabbath as the Sabbath of the Jew ²), still there was a time when he favored the idea of Samuel Hirsch and Holdheim on the subject, as he himself declared in the farewell sermon "God Walks With Us" preached when taking leave of the old temple of Congregation Beth El, New York, on June 27, 1891. I quote the entire passage because it is of an autobiographical nature:

"While working with varying success in behalf of Sunday services, we have always maintained the inviolable sacredness of the historical Sabbath, not because, prompted by blind letter worship, we believe that God infinitely above all time and space, is himself concerned in the difference of one day of the week from the other, but because we dare not sever the cord that binds us to our past, to our brethren; and to transfer, or what is after all equal, declare as dead, the ancient Sabbath, would be a break with our past, not to call it a breach of our troth. I must admit that there was a time when I cherished the hope that Reform Judaism would bring about the observance of that messianic universal Sabbath, the day in which all flesh, each week, would assemble and worship God. This illusion to which Geiger and Einhorn also, for a time, and Holdheim and Samuel Hirsch indeed for their whole lives, indulged in, has evaporated in the air in view of the rampant anti-Semitism and of mediaeval prejudice re-awakened. Much more necessary than any Sunday services, which are for the most part more of a cosmopolitan than of a Jewish religious character, it is for us today to perpetuate Jewish

¹) *Theologie des Judentums* p. 339.

²) *Year Book C. C. A. B.* 1903, p. 80: "the historical Sabbath is an inviolable institute of Judaism". *Ibid.* 100, "the historical Sabbath may not be surrendered" *Theologie B.* 33.

virtue and loyalty, Sabbatical consecration at home. Much more important than these appeals to cold reason made by these Sunday lectures are the soul-quickenings words of sanctification offered by historical Sabbath days. Lectures do not stand in need of any temple. Sacred hours of devotion, however, are offered only in consecrated spots and in solemn frames of mind. Did the Sunday services foster this deep religious devotion? Let the Sunday lectures and lecturers themselves answer."

Disheartening experiences must have brought him to this conclusion as to the inefficiency of Sunday lectures for twelve years previously in his inaugural address before the same congregation he had advocated the introduction of a Sunday service¹⁾ such as had been introduced in Chicago Sinai congregation during his ministry there and in his introductory address before the Pittsburg Conference (Nov. 1885) he had expressed himself similarly²⁾. In a Passover sermon delivered in the new Beth El temple in 1893, he refers to his abandonment of Sunday service and his introduction of Friday evening lectures in its place as follows: "I have for many years past worked for Sunday lectures without support and success. I have become quite convinced that Friday evening lectures in connection with a service adapted to the wants of the young will better enlist their sympathies and revive the dormant spirit of religion in our congregational life³⁾. Bismarck quite recently in a rejoinder to his opponents remarked, 'I admit I have changed my opinion, but I say, he who does not feel induced to improve and change his views and ideas during a number of years of ripening experience, has only one single idea' ". About the same time, at the meeting of the Central Conference of American Rabbis in the City of New York in 1892, he gave his reasons for abandoning Sunday services⁴⁾; again he declared that they fail to deepen the Jewish spirit⁵⁾; that they should not supplant the historical Sabbath⁶⁾. It is of interest and of value to note that as the years have passed Kohler has expressed himself more and more strongly on the necessity of retaining the historical Sabbath as expressive of the Jewish spirit, however he may have changed

¹⁾ Zeitgeist Vol. I, p. 60.

²⁾ Jewish Reformer Jan. 1, 1886.

³⁾ Later he took occasion to express his doubt as to the value of the late Friday evening service, when at the meeting of the Central Conference at Cleveland in 1905 he declared the "late Friday evening service to be an innovation of a dubious character in so far as they make those who attend it feel that they have done their duty to the Sabbath". Year Book p. 62.

⁴⁾ Year Book 1892, p. 111.

⁵⁾ Ibid. 1898, p. 85.

⁶⁾ Ibid. 1906, p. 99.

in his ideas as to the value of supplemental services on Sunday or late Friday night.

From the very inception of the Reform movement, one of its foremost principles has been the world mission of the Jew; this included the abandonment of the hope of the return to Palestine, the restoration of the Jewish state and the rebuilding of the temple at Jerusalem accompanied by the re-introduction of the sacrificial service under the ministration of the sons of Aaron. The prayers in the traditional ritual petitioning for these things were either excised or changed in the reform prayer books. The birth of the Zionist movement with its program of the restoration of the Jewish state and its declaration of the Jewish nationality caused many liberal leaders to re-emphasize the doctrines of reform Judaism on this subject; no one has taken stronger ground here than Kohler. Although in his earlier years he had frequently expressed himself on the subject ¹⁾ still during the past decade and more because of his unalterable opposition to Zionism, he has referred to the subject time and again. Several typical expressions may well find a place here. "To me Jerusalem is a lofty ideal for all the centuries of human history. Zion to me is the magical word of hope, of a world united by Israel, only one. I would not have it dragged down to the level of a commonplace possession of an age or land and a nation, however I dearly love and cherish it, Not Zion but America is the home of the cosmopolitan, the occidental Jew" ²⁾. In his Passover sermon on Liberty and Loyalty delivered in 1899, he declared "Not to Jerusalem do we look as does the bewildered Zionist for the fulfillment of our hopes but to that land that has made Sinai's law of liberty the cornerstone of its commonwealth and is pledged to bring freedom and happiness to every heart and home"; and in his frequently quoted volume on Jewish theology, he states that Zion the spiritual metropolis of mankind, as the poet of the eighty seventh psalm described the city of God, not the nationally bounded Zion is the master word of world conquering Judaism ³⁾. In this same volume he holds that the Zionists deny the mission of the Jewish people ⁴⁾. However, he gives fullest expression to his ideas on this subject in a series of articles

¹⁾ See for example his article "Rab und Samuel im Babylon oder der Jude und der Bürger", *Zeitgeist* I, 106, and his addresses Backwards or Forwards "Back to Judea, back to the Ghetto we will not go" p. 12; "prayers for return to Palestine are ■ blasphemy and a lie upon the life of every American Jew" p. 37.

²⁾ *The Jewish Exponent* Dec. 30, 1898.

³⁾ p. 312.

⁴⁾ *Ibid.* p. 253, 294.

entitled "The Dangers, Fallacies and Falsehoods of Zionism"¹). He declares here that Zionism is incompatible with traditional Judaism. Nordau, its mouthpiece disclaims Messianic Zionism. His thesis is a renewal of the Jewish nation by an intimate touch with mother earth. Nordau's plan as disclosed in his brochure "Zionism, its History and its Aims" has no place for the religious sentiment. Zionism cramps the spirit of the Jew, which is by nature broad, hopeful, optimistic and forceful. It drags the gloomy spirit of the ghetto into everything which it touches. As for Ahad Ha'am's cultural Zionism, there is nothing in the entire Jewish literature to support his thesis. Cultural Zionism rests on deception and illusion. Zionism as portrayed by the prophets represents a religious ideal. "It is an ideal city of holiness, the Golden City of humanity which is portrayed in these prophetic visions, a city built of pearls and precious stones which no thinking reader will take in any but a metaphorical sense. No doubt the pristine renown of ancient Jerusalem as a city of wondrous spiritual power has added its poetic charm to render these descriptions so enrapturingly beautiful. To behold in them merely nationalistic hopes as the Zionists do, betrays a narrowness of mind possible only in men in whom the religious sense has become atrophied all expectations concerning Zion in history and literature were messianic in character and therefore eminently religious". Contrast this now with present day Zionism. This corresponds with the crude realism of the age. It has seized the shell and dropped the kernel. It has assumed the name but crushed the vital spark, the religious aspirations implied in the hope of Zion. Zionism is nothing more or less than land hunger such as all the nations of the world manifest today, a desire quite natural and justifiable in the fugitive, homeless Jew of Russia and Roumania. Yet what right has this movement to arrogate to itself a name as sacred and dear to the Jew of all lands and ages as is the name of Zion? This is sacrilege Chauvinistic nationalism blunts rather than unfolds the religious spirit of the Jew. Zionism renders the soil rather than the synagogue the common ground and rallying point of the Jewish people. Zionism which instead of recognizing the triumphant march of Israel's God of righteousness through the lands and the ages of human history wants to turn the dial of Jewish history eighteen hundred years backwards and transform the cosmopolitan Jew into a neo-Canaanite, lacks the regenerating power which Reform Judaism has manifested and will in the course of time manifest to an ever greater extent as soon

¹) Reform Advocate (Chicago) April 20, 27, May 11, June 1, 1907.

as the people at large will have caught the spirit that animated the prophetic reform pioneers”.

These last eloquent words may be applied to the life work of Kaufmann Kohler. Like those prophetic reform pioneers whose worthy successor he is, he has during all the years of his blessed service, as a watchman of the Lord on the ramparts of the spiritual Zion, preached the uplifting and inspiring message of a messianic universalistic Judaism. A deep student of all the past endeavor of the Jewish spirit, a scholar at home in many fields of learning, he has known how to interpret the traditions of the past in terms of the present and to find new values in the messages of the great spirits of the ages. He represents in the truest sense the modern American Jew, combining in his thought the living elements of our great past, with the outlook of the present age in a free environment. His glance has been directed ever forward, never backward; optimistic, truly progressive, warmheartedly Jewish, he stands today an eminent scholar, a true reformer, a fine thinker, a representative Jew.

Dr. Kohler's Systematic Theology.

By

Prof. David Neumark, Ph. D., Cincinnati.

"A colleague of mine in Cambridge not a professed theologian, though well qualified to judge, recently remarked to me that he had never realized the profundity of Jewish theology, the purity and the universal applicability of its principles, and the wide scope of its interests, until he read Dr. Kohler's illuminating treatment of a subject which has now, for the very first time, been reduced to a system. Dr. Kohler has earned the right to rank as the Zunz of Jewish Theology. And just as Zunz not merely made the liturgy easier to study, but roused fresh enthusiasm for its contents, so Dr. Kohler, besides making Judaism more intelligible, has succeeded in making it more lovable."

These words with which Israel Abrahams introduced the book of Kohler on systematic theology to the readers of his excellent review thereof in the Jewish Chronicle of December 1, 1911, characterize this great work so well that I, too, adopt them as an apt introduction to the following brief sketch in which I desire to present the principal thoughts of the work that crowns the scientific and practical achievements of Dr. Kohler on the field of Jewish theology¹).

The merit of this work is the greater, the more the lack thereof was felt in Jewish literature. Systematic presentation is the weak spot of modern Jewish scientific literature. Whatever could not be forced into a chronological frame in which the lack of system is less discernible and less hurting, had to remain just fragmentary. Also Kohler speaks of the great difficulties to be overcome by the systematizer of Jewish theo-

¹) Schriften, herausgegeben von der Gesellschaft zur Förderung der Wissenschaft des Judentums, Bd. 4; Grundriß einer systematischen Theologie des Judentums auf geschichtlicher Grundlage von Dr. Kaufmann Kohler, Rektor des Hebrew Union College in Cincinnati, Leipzig, Buchhandlung Gustav Fock, G. m. b. H. 1910, 383 and VIII pages, 58 chapters, and Notes at the end of the book.

logy, and this, it seems, was one of the reasons for the historic basis adopted by Kohler for his presentation. Now the present work bears testimony to the fact that the difficulties, great though they might have been, were by no means unsurmountable. The difficulty was only to the least part that offered by the disinclination to any attempt of dogmatisation met with in Jewish spheres so frequently, the very great difficulty to surmount being rather the almost endless preparation required to the successful accomplishment of this work. And this difficulty Kohler subdued masterly. Surely, the complete references to the sources in the Notes are a very gratifying guide to the student-reader. For the expert-reader, however, the all important fact is decisive that the presentation itself shows so minute a familiarity with the sources and the scientific literatures devoted to the same, that no scholar, ever so great and recognized, is supposed to be possessed of it as long as he did not actually demonstrate it *ad oculos*. And is this that Kohler has accomplished undoubtedly. In order to do justice to the style of this work which is most noble throughout, one must call especial attention to the subtle and highly sensitive language in which Kohler presents his ideas. He who does not notice it at once will find after closer examination that those fine polished words and phrases are always a reflection of the literary situation in the problems at hand, aiming as they do to meet current misapprehensions or possible objections. Questions the full discussion of which would require several volumes of the size of the "Grundriss", are kept in evidence by concise and exact linguistic formulations. In the most decisive parts of the book Kohler succeeded in putting his thoughts in the succinct and clean language of text-book definitions. The plan of the presentation is based upon the idea of Philo, of the two grand doctrines of Judaism concerning God and Man to which is added (and this, too, is in accordance with Philo) a third section treating of Israel. The first section treats, in two subdivisions of God's essential attributes (a) and of His relative attributes (b). The second section treats of Man, of his relationship to God (a), and to his Fellow men (b), the latter especially in those manifestations which are making for what we call History. Finally, the third section treats of Israel (a) and of the Divine Kingdom of Humanity (b). This systematic arrangement according to topics Kohler combines most skillfully and felicitously with the chronologico-historic order of things, in that each and every individual question is being discussed from the viewpoint of its historic development. In doing this the author, the recognized faithful

leader of Reform in this country, shows a highly recommendable impartiality towards the historic claims of Orthodoxy. In fact, there is no other book, in which the modern orthodox Jew can find so true a picture of his Judaism, as he finds in the book of Kohler.

Kohler's general viewpoint of presentation is the theological, as opposed to the philosophic viewpoint, although he acknowledges freely the merits of the philosophic viewpoint in the development of Judaism, especially in preparing and shaping Reform Judaism:

Jewish Theology ought not to ignore the results of modern research in philology, history, religion, biblical literature, just as it dares not to ignore the unchallenged results of natural science, even though they be in utter contradiction to the view of the Bible (cf. p. 5, 25—26). Kohler refers to Samuel David Luzzatto's repugnant attitude toward Jewish philosophy of the Middle Ages, adding, however, that we should not overlook the merit of philosophy in emphasizing Truth as one of the basic ethical duties (p. 18—19).

Against the overemphasis laid upon Reason by Maimuni it was Crescas who pointed to Love and Sentiment as the sources of true religion. "And so we are led by the critic Crescas straight away to a Theology of Judaism which is utterly different from that of Maimuni, and which appeals to us more than the latter in all of our religious thinking and feeling" (p. 21). "On the highest degree the prophet receives the divine truth in abstract thought in full self-conscious mental activity, 'God speaketh to him as speaketh man to his fellow', 'as Scripture says of Moses' (p. 29 — which is the interpretation of Maimuni).

The traditional belief that the Thora and the rabbinic interpretation were given to Moses on Sinai, is, "as contradictory to all laws of logic, unacceptable" to our religious consciousness of to-day (p. 36).

The prophets and the sages used the weapon of logical proof only against the heathen and the denier. "Where God is felt as a living force . . . all logical proofs for the existence of God appear like strange fire upon the altar of Religion" (p. 49—50).

Philosophy can prove an eternal creative ethico-cosmic Intelligence, but never a God to whom you can pray, the God of History, this is the exclusive domain of Religion. "Reason can, and should, serve the teachings of Revelation as a corrective, to purify the intuitive truth again and again, to deepen it and to permeate it in order to intellectualize it; but never can reason become the source of truth" (p. 53; cf. p. 107, 128 f., 133, 192, 202 f.).

It was the abstract thinking which liberated the mind from the fetters of the letter and, repudiating the anthropomorphic concept, brought about the pure intellectual concept of God (p. 56; cf. p. 61—62, 63).

All attempts of the church to harmonize the doctrine of duality or trinity with biblical monotheism failed utterly. More successful were the Jewish thinkers of the Middle Ages. "The harmony between Religion and Philosophy which was accomplished here, especially by the representatives of Judaism, liberated the fettered forces and gave them new impetus on all fields of research and knowledge, and monotheism has become a fundamental thought for modern natural science and for the entire outlook based thereon (p. 65; cf. 66, 73).

It is impossible for us to acquiesce in the resignation of Maimuni as to the cognition of the divine attributes and to follow his advice to keep silence about them. We must discuss what God is to us. The focus of all the divine attributes is wisdom. And God's wisdom we perceive and recognize best by a mindful orientation in the order and fulness of Nature (p. 103; cf. p. 122—123 — no room for miracles in nature; cf. p. 53 etc.).

The intellectual conception of God helps man to overcome all Mythology and Cabbalah and their doctrines of Angels, Ideas, Sephiroth and the like (p. 140 f.), and this, too, was instrumental in bringing about the purity of modern Judaism (p. 146), and to make Israel the teacher of mankind in the cognition that man is immediately connected with God, and that it is in the service of humanity where God is to be found and worshipped (p. 154 — cf. p. 174, 176, 179).

It is impossible for us to think that God, exalted over time and space, omniscient and eternally unchangeable in his will and his activity, could be influenced by the prayer of mortals to change his decrees. But still man would pray. "Searching reason may deny the effect of prayer upon the psychic, mental and moral shaping of man, or it may declare the prayer as such to be pious self-deception. The religious sentiment finds in prayer the rise of the soul toward unification with God in the sacred moments of her earthly course. This is no deception. Through prayer man, soaring up in devotion to God, receives from Him the power to dare Fate and Sin, and to overcome suffering and death" (p. 204—205).

"A clear notion of the essence of the soul was reached first by the philosophically trained thinkers" (p. 217); it was Moses Mendelssohn who shaped essentially the modern conception of immortality which is to be recommended to those modern Jews who cannot adhere to the old traditional conception of immortality as expressed by the

dogmas of resurrection and here-after retribution (p. 221 f.), though in the very truth of the matter this was already the standpoint of Maimuni, especially as corrected and completed by Crescas (p. 230—232).

The contact of Judaism with Greek philosophy in antiquity was instrumental in bringing to the fore the universal character and tendency of the Torah (p. 270), and so was the second contact in the Middle Ages instrumental in making Judaism a guiding light to the nations, to stir them up to the realisation of the crippling fetters into which the Church had thrown the mind of man, and to show them the way to intellectual liberty, by going back to the Hebrew Bible which has become the well of which sprang forth the great reform movements in the German and the English Church (p. 272—275); and this, the mission of Judaism in History, was never more clearly expressed than it was by the philosophers Hallevi and Maimuni (cf. p. 20, 249, 300 f., 313, 342).

It was at a very great sacrifice that Paul and his disciples founded religion upon mere faith. "Faith spelled the abandoning of the divine light of reason, of the free thought" (p. 320).

The Synagogue, on the other hand, went too far in the emphasis of outward ceremonies. It was the philosopher Bachya (XI century), who protested against the ritual petrification of Judaism in his "Duties of the heart", which movement again let to the revival of dangerous mysticism and mythology in the Cabbalah. This was in utter contradiction to the very essence of Judaism. "Nevertheless, since it is not the intellect, but the heart that is the source of all religion and morality, any one-sidedness in the culture of the intellect, any neglect of the culture of the heart, will be detrimental to religion. Piety comes from the heart, just as enlightenment comes from reason. Religion ought to seize all of man, and uplift him, and not to appeal sciolously to either intellect or sentiment alone, if religion is to heal the cragginess of life, to teach how to recognize and to feel the Kingdom of God as an harmonious unity, and God as the all-unique. The institutions and the religious forms of the Synagogue must again become educating reason and sentiment, heart and intellect" (p. 340).

The basic thoughts of Kohler's presentation may be condensed into two sentences which, then, again dissolve into one higher unity:

1. Judaism is primarily and essentially a religion of Justice. Love is secondary, regulative and corrective.

Justice is the essence of God, Love His attribute, expressing His relation to the world and to man, neither of which could

endure without mercy. Man's will is free, his is a full unrestricted moral responsibility, hence the unrestrained efficacy and validity of the moral order of the world. This order of rigid justice, however, is mitigated by Love, Mercy, this being not the mercy of caprice of the Church (against which Kohler polemizes quite frequently), the mercy that nullifies and warps justice, but that Mercy which guarantees man his perfectibility, that he can rise after his fall, and get back again into the dominion of Justice. This is the foundation upon which Judaism has built its System of Life, and the entire course of the history of Judaism is a gradual revelation and realization of this essential principle:

Christianity and Islam are the apostles of Judaism. "But on the one hand, Judaism emphasizes its higher idea of the divine unity and the divine holiness, as against the Christian concept of God and man, the Jewish idea not permitting the divine to be drawn down into the sphere of the sensual, and morality to be built on a basis of love which is void of Justice. On the other hand again, Judaism emphasizes the belief in the divine fatherly benevolence and Long Suffering that guides in Love all of the human kind, as against the monotheism of the Islam which demands blind surrender to a predetermined fate" (p. 15; cf. p. 98, 7).

"The Fear of God — stirs up our conscience and prevents us from sin." "The Knowledge of God — is that inward experience of God as of an ethical power of Life which inspires man to virtue and honesty and keeps him away from iniquity" (p. 25; cf. p. 48, 152 as to the two names of God. JHVH = Mercy, ELOHIM = Justice; p. 77—78: the attribute Kadosh holy, designates both, rigid justice and mercy, the former being the original meaning of the term, the latter the product of the later development; p. 80—81).

"For Justice and Mercy, in the teaching of Judaism, are eternally harmonious with each other in the divine guidance of the world; the one is the foundation-pillar of the world, the other its measuring chain; were the rigid measure of Justice to prevail, no mortal could stand before the Lord; it is the divine Mercy to which we owe all that is lend to us, yes, our very lives, whatever in us is not yet good, shall become good — that is the idea of divine Mercy and Love" (p. 86—87).

"The prophets of Israel established Justice as the innermost principle of the world, the most unique essence of God, and, consequently, as the finale and the ideal of human life" (p. 89).

"To Judaism Love is by no means the highest principle of morality or of the moral order of the world. No, entirely too often love undermines the legal order of things, and effiminates society instead of training it to virtue. It is Justice which develops and raises the moral power in every human being" (p. 90).

"Love cannot supplant Justice, it can only supplement it" (p. 95). The divine Love has become the source and the Ideal of all ethical postulates in the relations of man to man. "Whence they came to declare Love to be the most intrinsic characteristic of the divine essence" (p. 97; cf. p. 302 f.).

"Much more than the divine Love that has pity and mercy on our weaknesses, the divine Benevolence is that power which stirs up and moves the energy of man" (p. 100).

"Now corresponding to the two divine attributes (cf. p. 25, 48, 152), Justice and Mercy, is also the double nature of man inasmuch the punishable and guilty man is subject to the former, while the just one is subject to the latter." This may be the sense of the efficacy of prayer.

"If the untoward decree was aiming at the unimproved man, now the improved man has actually changed into a different one, and, consequently, Mercy, instead of punishing Justice, meats out to him his lot" (p. 203—204; cf. p. 218: the double nature of man, corresponding to Soul and Body, as the basis of retribution in the hereafter cf. p. 231—232, 323—324).

Rigid justice as understood in primitive ages demanded the "visiting the sin of the fathers upon the sons into the third and fourth generations", later ages then developed the doctrine of full individual moral responsibility, but with the addition that the attributes of Mercy and Longsuffering mitigate this rigidity, in that the sinner is given time to repent (p. 223 f.; cf. 277); and, corresponding to the individual responsibility, still later ages, then, developed the doctrine of the immediate individual priesthood. No priest of a special tribe, no sacrifice or any other special ritual is the instrument of Mercy, but the heart of the individual, addressing itself immediately to God, by repentance and betterment (p. 237).

2. Judaism is composed of a national and a universal element, but so that also the national exclusiveness aimed from the very beginning at the establishment of a universal world-religion, of the Kingdom of God on earth among men.

Corresponding to this principle are the various currents in the spir-

itual development of the Jewish people. In antiquity the national element is represented by the priest, the universal by the prophet. In the same way, though under changing forms, these two elements are the moving forces in Jewish History and Literature of all periods, up to our very day. And the ecclesiastical institutions of Judaism, too, give expression to these two tendencies. This is true especially of those instructions which may be called *ecclesiastico-political*, and to which Kohler devotes the masterly conceived last chapter of his work. Most instructive are those chapters in which Kohler illuminates the blending of these two elements in the *eschatological hopes* of Judaism:

"In Judaism the tribal community is the basis of the religious community, so that the unbelieving Jew, too, still remains a member of Jewry" (p. 6; cf. p. 326—327).

"In Judaism religion and nationality are an inseparable unity. Jewry and Judaism are related to each other like body and soul. The new nationality which, as the remnant of Judah, developed out of the collapse of the political life of Israel, that nationality which already during the time of the second state had settled in various lands as the cosmopolitical element among the nations, and which preserved itself in its peculiarity through these thousands of years, is the national body, the bearer of Judaism" (p. 7; cf. p. 11: corresponding to these two elements are the two tendencies in the development of Judaism, the *legal-national*, and the *ethico-, or rational-universal*; p. 35f.: this goes back to ancient times when the two tendencies were represented by priest and prophet, respectively; cf. p. 201).

Also the interpretation of the dogma of resurrection shows these two elements. There were two interpretations of this dogma, a national one according to which only the pious Jews would resurrect and at best also such non-Jews as have actually joined Judaism, and a universal one which extended resurrection to all of mankind, and developed into the doctrine of the final judgment (p. 293 f.).

These two basic ideas converge into the highest unity in the following thought, deeply conceived and clearly expressed.

The national element of the Jewish religion corresponds to its very essence which is Justice. The Jewish religion wells from the Jewish national soul. But it is a command of Love without which Justice ceases to be Justice, that the acquired truth should be made

the common possession of all mankind. In these high regions Justice and Love are one. Justice as the essence of God is the Torah, and the Torah is the Wisdom, the cosmic creative power, the divine mode of activity by which everything is being produced and renewed in every moment. This divine activity, however, originates in His Mercy, He being the all self-sufficient, in no way in need of the creature:

The C o v e n a n t in the opinion of Judaism was originally made with A d a m and N o a h for all Mankind, then it narrowed down to Abraham, and then, still further excluding collateral lines, to Jacob: the Selection of Israel (p. 37). By this, as also by acknowledging that even in idolatry there was a longing for God, Judaism recognized the religions of the Heathens a s t h e w a y leading up to monotheism for the announcement of which Israel was selected (p. 45 f.). This makes it clear that the Selection of Israel was only a m e a n s for his religion becoming universal, the R e l i g i o n, which means the M i s s i o n of Israel (p. 47; cf. p. 83, 118, 190, 194, 225, 252, 271, 282, 291 f., 334, 342).

"Of course, the selection of Israel presupposes his i n n e r vocation, a peculiar disposition of his soul and a peculiar tendency of his mind which fitted him especially for the divine task" (p. 247). National separation was necessary in order to protect the growing truth from harming influences, nay, often even hostility towards other nations was a demand of justice, especially where and when monotheism was threatened to be ousted by idolatry (p. 296 f.). Nevertheless, the intention was from the very beginning to bring that trait in the Jewish character into activity which made the Jewish nation the best tool of divine providence to bring about the unity of mankind, the Jewish virtue of human s y m - p a t h y and l o v e (p. 247). Through nationality Judaism extended its truth to ever larger groups of nations (C h r i s t i a n i t y and I s l a m), to all of the human kind (p. 236, 240—242, 275, 279, 291, 300, 305, 312 f.).

Jewish universalism finds its highest expression in the identification of Wisdom and Torah as the instrument of Creation. The national Torah is representative of the c o s m i c l a w, the cosmic Justice, the creative bounty is the source of all life and all existence; and the final realization of the prophetic ideal, when the knowledge of God would be spread over all the earth, will be also a renewal and a rejuvenation of all nature (p. 105, 118, 225 a).

It is easy to recognize this lofty conception of Judaism as the product of a man of whose scientific work the lion's share has fallen to G r e a c o - Jewish literature.

The Decalogue in Art.

By

Israel Abrahams D. D., M. A., Cambridge, England.

"Ye heard the voice of words, but ye saw no form" (Deut. IV, 12) — so speaks the Deuteronomist of the theophany in Horeb. The Jewish consciousness has been true to this record. No artist of the Synagogue attempted to represent in art the Father bestowing the revelation of his will to his children. In a very few rare cases of Hebrew illuminated MSS. we find what may be plausibly interpreted as pictures of God, but here we have either the work of Christian artists, or of inconsiderate copying of Christian models by Jewish craftsmen. This is the case with the figure in the Sarajevo Haggadah (cf. I. Abrahams *Festival Studies* ch. VIII). Dr. Gottheil conjectures that in a Cairo MS. (described by him in the *Jewish Quarterly Review* 1905 p. 624) there is introductory to Job a representation of the Deity resting upon the clouds. The same authority suggests (op. cit. p. 653) that a medallion of the fifteenth century (MS. Casanatense, No. 283) contains another drawing of God in a Hebrew MS. It is "an idyllic scene, in which a hocking man, resting his hands on what seems to be a club, turns a frightened look towards an admonishing figure, youngish in appearance, whose face is crowned with an aureola, from which the rays of the sun stream. I take this to represent the Almighty chiding Cain". The words which I have italicised are extremely interesting. They point to the fact which will be further developed below that Mithraic influence has been at work. This strengthens the view that such pictures as these are not of native Jewish provenance, but have crept in inadvertently.

Certainly, in no Jewish representation of the revelation, does the figure of the Deity appear (cf. Abrahams op. cit.). But the Decalogue itself, inscribed on the tables of stone, is freely represented. A French Hebrew MS. of the end of the thirteenth century (B. M. Add. 16 639) contains the tables twice. Moses not only holds them in the scene of the budding of Aaron's rod (741 b.) but also, *mirabile dictu*, at the crossing

of the Red Sea (120 a). In the Sarajevo Haggadah there is an equally spirited and less anachronistic picture. Moses, enraptured in flames, stands aloft, a horn inclined towards his ear conveys the sacred words, which he bears on his breast. Aaron is just below him, and the people are assembled beneath. The tablets present the appearance to which we are now accustomed in the Synagogues: they are not (as in Michelangelo's *Moses*) two detached stones, but are in one with circular tops. The Biblical, as well as the Rabbinic, description of the tablets implies that there were two separated oblong tablets (on the size and arrangement of the tablets see the valuable *Responsum* printed by Louis Ginzberg in *Geonica* II p. 35). In another picture, the Sarajevo MS. shows us a Synagogue, with the open Ark and Scroll of the Law, but there is no hint of the presence of the decalogue tablets. One of the most surprising points is that there is no reference in any of the ritual codes (not even in the *Shulhan Aruch*) to the custom of placing the tablets in the Synagogue. There is no evidence that the custom was prevalent until quite late. But the Sarajevo MS. supplies one link in the chain. In a picture subscribed "The Sanctuary which will be built speedily in our days" we have, surmounted by wings (of the Cherubim) two oblong tablets (side by side in one block) on which are inscribed the first words of each commandment of the Decalogue. This may point to the existence of the custom to place such tablets in the Synagogue in the fourteenth century, but the inference is insecure.

We have clear information however, that at an earlier period it was usual to write the decalogue on small scrolls. The oldest extant Hebrew papyrus is the famous Nash copy of the Decalogue, which most authorities believe to be pre-Massoretic, and perhaps as old as the second century. An important Response of a Gaon throws some light on this question. The Response is attributed variously to the Gaon Hai (*Sh a a - r e T e s h u b a*, Leipzig 1858, § 149) and to the Gaon Nahshon (see Kohut, *Aruch Completum*, s. v. תפל). In the Talmud (*Berachoth* 23 b) the Israelite was enjoined not to pray "with a scroll of the Law on his arm", lest his anxiety not to drop the scroll should divert his attention from his prayer. The Gaon being questioned on the matter explained that the scroll referred to in the Talmud was one containing only the Decalogue — evidently the Gaon regarded the existence of such scrolls as ancient:

(וששאלתם הא דאמר' רבנן לא יאחו אדם תפלן בראשו וס"ת בורועו זה ס"ת שאמרו כגון שכתוב בו מן אנכי ה' אלהיך עד וכל אשר לרעך שהן תרי"ג אותיות כנגד תרי"ג מצות שבתורה.)

Kohut, in a note loc. cit., discusses the numerical discrepancy. While the Gaon asserts that the Decalogue contains 613 words, there are apparently not 613 but 620 words in the Decalogue making up the mnemonic כתר — Crown — the artistic suggestion is here obvious. The extra seven would be made up by the seven Noachide precepts (Numbers Rabbah XIII and XVIII; cf. L. Blau J. Q. R. 1896, p. 355).

It is to Christianity, with its greater interest in art, that we have to turn for the earliest pictorial representations of the Decalogue. These occur from the second century onwards. Whence did the artists, however, derive their inspiration? D. Kaufmann, in one of his most brilliant essays (*Sens et origine des symboles tumulaires de l'ancien testament dans l'art chrétien primitif*, in *Revue des Études juives*, XIV 33 seq.) argues, that the suggestion came from the Jewish liturgy (op. cit. p. 245). In the Mishnah (Taanith II, 4) we have the germs of the liturgical prayers "He who answered in the past, may he answer now" (מי שענה). Such prayers are also found in the church. Le Blant (*Arles* p. XXVII) traces then as early as the ninth century. The favourite Old Testament subjects for artistic reproduction are all found in these liturgical compositions, and Prof. Kaufmann may fairly claim (op. cit. p. 253) to have made plausible his conclusion that: "Dans la littérature et la liturgie, la dépendance de l'Église nouvelle vis-à-vis de l'antique synagogue devient de plus en plus certaine; en art aussi je crois avoir apporté ici la preuve d'une influence de l'une sur l'autre." Not of course that this was the only or the chief source. For undoubtedly Old Testament scenes were introduced in Christian art as foils to the scenes in the Gospel story, and from the first the Apostles and Fathers cite the older incidents as emblems and types of the later. Already in the fourth Gospel, Jonah is the type of the resurrection, and Moses' Rock of the Gospel of Christ in I. Corinth. X, 4. Charlemagne in the church of his palace at Ingelheim directed 12 Old Testament scenes to be painted precisely in apposition to the 12 New Testament scenes (E. Male, *L'Art Religieux du XIII. Siècle en France* 1898 p. 189). This fact meets us throughout the history of ecclesiastical Glass painting: the Old Testament and the New Testament scenes constantly appear in pairs, and Moses receiving the Decalogue (or casting it away) typifies the promulgation of the Gospel (or the abrogation of the Law). In a St. Denis glass medallion of the 13th century, depicting the symbolical chariot of Aminadab, we see a capital illustration of this method. Out of Noah's Ark, in which lie the Tables of the Law and Aaron's Rod, rises as from a pedestal the

Cross. (Male op. cit. fig. 68.) Again, the use of the Old Testament begins to multiply in the second and third century, the era of persecution of the Christians; the stories of the rescue of Hebrew Saints from tribulation became artistic encouragements to the Christian sufferers, and Moses and the Decalogue entered with the other Old Testament scenes. Even so the Maccabean Martyrs became prototypes of the Christian martyrs and for the same reason. While Kaufmann's argument has much force in it, and it would be idle to dispute the likelihood that the liturgy may have had something to do with the choice of subjects, especially for the catacombs, yet the type idea must have had greater weight. The statues of ancient Hebrew saints were, in Augustin's words, "heralds of deity" and thus announce the Christian belief at the very thresholds of cathedrals. At Chartres, on the Northern porch, Melchizedek, Abraham, Moses, Samuel, David, are placed at the entry of the sanctuary. According to Male, these great figures are amongst the most extraordinary of the Middle Ages. "They seem to belong to superhuman humanity. The artists of the beginning of the thirteenth century, unskilful in reproducing individual characteristics, were powerfully able to present the universal, the eternal, which exists in every human individual. The Chartres patriarchs and prophets appear veritably as fathers of peoples, as the pillars of humanity, and each of them is clearly intended to represent Christ."

If, moreover, the Old Testament subjects — and possibly the ideas underlying them — used by early Christian artists may have been suggested by the Synagogue liturgy, the artistic treatment was not. Here we must look in the first instance for classical models. In some of the earliest of the Catacomb pictures, Christ appears as Orpheus; he wears a Phrygian cap, and plays on his lyre to a surrounding gathering of beasts. But looking in another direction for models, we cannot but be struck by the remarks of F. Cumont. The Pagan pictures of Mithra would seem to have been imitated by the first Christian artists. Cumont sums up this theory in the following words (*The Mysteries of Mithra* p. 228): "The mediocre compositions which the artists had conceived to represent the episodes of the legend of Mithra, appeared also worthy of imitation to the Christian ages, which were even more powerless than their predecessors to shake off the traditions of the workshops. When, after the triumph of the Church, Christian sculptors were confronted with subjects hitherto unattempted, and found themselves under the embarrassing obligations of depicting on stone the personages and stories of the Bible, they were happy in the opportunity of being able to draw

inspiration from the portrayals which the Persian Mysteries had popularised. A few alterations in costume and attitude transformed a Pagan scene into a Christian (Biblical) picture. Mithra discharging his arrows at the rock became Moses causing the waters of the mountain of Horeb to gush forth; the Sun, raising his ally out of the Ocean, served to express the ascension of Elijah in the chariot of fire; and to the time of the Middle Ages the tauroctonous god was perpetuated in the image of Samson rending the lion." To this I venture to add that the conventional pictures, from the Catacombs onwards, of Moses receiving the Decalogue also show Mithraic traces. For instance, in the fragment of the bas-relief of Virunum (Cumont *op. cit.* 133) we have various scenes from the life of Mithra. He is smiting the rock, he is ascending in the war-chariot to heaven, and in one scene he is concluding friendship with the Sun-god, crowning him with a radiate halo, holding him with the hand. This scene recalls the Catacomb representations of the reception of the Decalogue. One other point may be hazarded. If the Christian artists copied Mithraic models, is it impossible that the Mithraic artists themselves were influenced by the Old Testament? Should that be the case, then we should be witnesses of a curious turn of the wheel, and should find ourselves travelling in aesthetic sequence: from the Hebrew Scriptures through Mithra back to the Hebrew Scriptures. And when, as is now-a-days becoming fashionable, so much of early Christian religion is being traced to the Mithraic mysteries, we must be careful before we entirely exclude the possibility that the latter owed something of their non-Iranian elements to their having passed in some way through a Hebraic phase.

It cannot be said, however, that Moses and the Decalogue were favourite subjects with the early artists. (This may be confirmed by an examination of the pictures given by the Rossi, Bottari and Garucci.) Moses and the bush occurs rather more often, but the commonest Mosaic scene is that in which he strikes the rock. Jonah is an Old Testament favourite, and so are Noah releasing the dove, Abraham sacrificing Isaac, the passage of the Red Sea, David and Goliath, the ascension of Elijah, Job, Daniel in the lions' den, and the three children in the fiery furnace. These subjects were easily given a symbolical meaning in reference to New Testament incidents, though Kaufmann shows (*op. cit.* p. 48) that the sacrifice of Isaac — which is usually treated as symbolical of the crucifixion — was associated with immortality in Jewish tradition. Isaac, says the Pirke de R. Eleazar (ch. XXXI), composed the second of the Eighteen Benedictions, for when his soul re-entered his body at the voice of the

angel, he exclaimed: "Blessed be he who quickeneth the dead". If so, the appearance of this scene on the tumular decoration of the catacombs, is explained. Similarly it may be urged (Kaufmann *op. cit.* p. 233) that the deliverance of Noah from death by the flood, Jonah's escape from drowning, and the rest point to such escapes from imminent danger as would indicate continued life, and hence would be appropriate as ornaments on tombs. But it is probable that Christian symbolical ideas also helped the choice, for it is obvious that in the light of the Pauline attitude towards the Law there would be little place for the Decalogue in Church art. Still it is found continuously, though not abundantly, through the ages. In the sixth century San Vitale (begun by Theodoric, completed by order of Justinian and consecrated in 547) there are many Old Testament scenes — including the reception of the tables of stone — "on the screens of the solea, under the arches of which the spectator wanders into the transepts" (Crowe and Cavalcaselle, *History of Painting in Italy*, 1908, I, 13). In some of the early instances, we can detect the scene by the convention which shows Moses with the left foot raised, a survival of the ascent of Sinai. So, in the picture referred to above as the origin of this convention, Mithra has his left foot elevated. In the ninth century the reception of the Decalogue is represented on a fine Carlovingian Ivory in the Mayer Collection, Liverpool. It is the leaf of a diptych, and consists of five compartments. The central division runs right across and pictures the presentation of the infant Jesus in the Temple. There are four smaller compartments containing in the lower part of the ivory: the High Priests with a sacrificial animal and Melchizedek in front of a tree holding a flagon and a loaf (types of the Eucharist). In the Epistle to the Hebrews Melchizedek is put in contrast to the High Priest; so that the artist here meant to balance the Old against the New Testament. It seems probable therefore that, when in the upper part we find Moses receiving the Law and see the sacrifice of Isaac, it was intended to oppose the old dispensation to the new. The treatment of the Decalogue scene is interesting. Moses with arms uplifted advances to receive the tables from the hand of the Lord, outstretched in a cloud. Two Jews stand beneath, and over them a star (perhaps Numbers XXIV 17), or as it seems to me a flower (reminiscent of Isaiah XI, 1). In another Christian connection, too, the Decalogue scene is not uncommon. In another Carlovingian ivory in South Kensington the Transfiguration is portrayed on a tenth century plaque. Here, on the right hand is Elijah, on the left Moses holding the two Tables of the Law. Similarly, in the Grimani Breviary (St. Mark's Library Venice) a like

grouping may be noted. Naturally, in the Christian illuminated MSS. the scene on Sinai figures, but not very often. The best specimens possessed by the British Museum are: the twelfth century English sketch (Nero, c. IV f. 4) where Moses is horned (a feature derived from the Vulgate phrase: *videbant faciem egredientis Moyses esse cornutum* in rendering Exod. XXXIV, 35); a thirteenth century French picture (19 C. II f. 1) from Frère Laurent's *Le Livre des Vices et des Vertus* — where we see Moses breaking the tablets, which are set in three positions to represent their fall —, a late fifteenth century Italian Psalter (Greek) and Hours (Burn. 14, 93 b) where a hand from the cloud offers the tablets to Moses, in illustration of the opening of Psalm LXXXVIII *προσέχετε λαός μου τὸν νόμον μου*; and a French picture in Guiart des Moulins' translation of Petrus Comestor's *La Bible Historiulx* (15 D. III f. 85) where a group of Jews are reading the tablets which the horned Moses holds for their inspection. These are all beautiful pictures, but none is really finer than the mere script found in the ninth century Corpus (Cambridge) MS. of the Laws of Alfred — who prefixed the Anglo-Saxon version of the Ten Commandments to his own Code.

Nothing would be gained by attempting a full survey of the later portrayals of the Decalogue in Christian art, nor would space be available as we have still so much ground to cover. It must suffice to recall a few notable examples. In the late fourteenth century frescoes of the Casa di Mezzo church at Bologna there is still distinct a portion showing Moses casting down the Tables of the Law; "it has a Giottesque look", though Giotto did not paint at Mezzarata (Crowe op. cit. III, 200). Among examples of the same period must be named the famous sculptures in the Puits de Dijon executed by Claus Sluter in the year 1399. The monument is, as Michel describes it (*Histoire de l'Art* III, 1), a hexagonal pedestal, originally the base of a Calvary, carved in stone, 22 feet high, rising out of a well — whence its name. Noble Statues of Moses (with the tables of stone), David, Jeremiah, Zechariah, Daniel and Isaiah surround the pedestal. There is on each countenance an expression of sorrow, over each being written a prediction of the crucifixion. This monumental group was so celebrated that in 1418, within a generation of its completion, the Papal representative awarded remission of sins to all pilgrims there. The great artists of the fifteenth-sixteenth centuries produced splendid works introducing the two tables of stone. Of the statue by Michelangelo (1475—1564) nothing need be said; its masterly power is universally recognised. Raphael (1483—1520) has several

Mosaic pictures, three in particular (in the Vatican) may be referred to. In one, Moses is on his knees receiving with his two hands the Tables from God, who is fully represented. Behind and on the right child angels sound trumpets. Below (left) are the figures of four Israelites in an attitude of wonder; on the right is the camp. In a second picture, we see the Golden Calf on a pedestal, the people — men, women and children — career round it in a dancing circle. Moses is on a hill to the left, above the scene; he has broken one Table, and is in the act of casting the second sideways with both hands to the ground. Joshua, on his right, stands in pained consternation. In a third picture, Moses (horned) again descends holding out the two Tables with the text turned towards the people. Evidently, painters of a somewhat earlier date than either of the masters last-named must have been picturing Moses and the Law; this is proved by a magnificent fifteenth century Italian print (c. 1470) — a copy of which is possessed by the Fitzwilliam Museum — and in which Moses, horned and rayed, is seated on lightning in the centre, and on either side are the ten Commandments in Latin (the Commandment against bearing false witness comes tenth). Another remarkable product of the fifteenth century is the oil painting by Cosimo Tura (1420—1495); in the London National Gallery. It depicts the Madonna and child enthroned. They are surrounded by six angels playing various musical instruments. On two panels, at the side of the throne, are the ten Commandments in Hebrew; painted in with general accuracy (except that a *sîn* lacks a stroke and the *daleth* and final *caph* are not well discriminated). This example is of some importance. The order of the Commandments, and the choice of the initial words, exactly correspond to what is now the common synagogal arrangement, and may have been derived from an actual model. The picture may therefore perhaps be regarded as an addition to the scanty evidence that the Tables were used in Synagogues as early as the fifteenth century. Allusion may also be made to a picture (also in the National Gallery) by Mazzolino da Ferrara (1480—1528). It is a small picture on wood, representing Jesus disputing with the Rabbis in the Temple. There are two Old Testament reliefs (in sculpture); the upper one depicts the Israelites fighting the Philistines and David fighting Goliath, while in the lower we see Moses showing the Tables of the Law to Israelites. Over, there is written, in reference to the Temple in Hebrew the words: "The House which Salomon built unto the Lord" (הבית אשר בנה שלמה להו). Hebrew inscriptions are not rare in Ferrara pictures of the fifteenth century, and this points to the influence of local Jewish teachers. For

the rest it must suffice to mention two Dutch paintings, by Martin de Vos (1532—1603) and Rembrandt (1606—1669). The latter (located in Berlin) shows us Moses, with the tables high above his head; he is holding the two together in both hands, and is about to hurl them forwards. The last five of the Commandments are shown in Hebrew, though the fingers of Moses could not possibly have covered so many words as are omitted in the tenth Commandment. Nor could the first five Commandments possibly have been written, with letters of the size shown, on a single tablet. The painting by Martin de Vos (now at the Hague) is more of a curiosity. The Lawgiver holds up to the Israelites the new Tables of the Law, which contain the whole text of Exodus in Flemish. And not inaptly is this language chosen, for most of the figures are arranged in unmistakable sixteenth century garb. I could carry this account further, and refer to more recent instances of pictures containing the Decalogue, such as those of Herbert and Sargent. One single example must suffice. It is from the brush of a living Jewish artist, S. J. Solomon, R. A., whose work is now at Preston. Christ, crowned with thorns and an aureola, lies prone, supported by angels of a classic type, and also by Moses, who bears aloft the Tables of Stone. It is a meaningful allegory, in which the relations of Hellenism and Hebraism on the one hand and of Church and Synagogue on the other, are subtly suggested. But this last remark leads one's thoughts to quite another type of contrast between Synagogue and Church, a type which belongs to a considerably earlier period. In many poignant phrases the author of Lamentations sought to express in words the feelings which animated him as he contemplated the ruins of the Holy City and the desolation of her people. "The crown is fallen from our head, woe unto us that we have sinned. For this our heart is faint, for these things our eyes are dim!" (V. 17). The mediæval artists seized upon such phrases and interpreted them in stone.

For now we must retrace our steps, and confront the most pathetic aspect of our story. The Chapter House Doorway at Rochester Cathedral is one of the finest extant pieces of English Decorated (G. H. Palmer, *Rochester*, in Bell's Cathedral Series p. 107). It dates from the middle of the fourteenth century, having been constructed during the episcopacy of Hamo de Hythe. On each side of the door are full-length figures of Church and Synagogue. The Synagogue is a female figure, blindfolded, with a broken staff in her left hand, and the Tables of the Law held reversed in her right. The Church for an interval was male, a mitred, bearded bishop. But this distinction in the sexes of the figures

arose from a mistake of Cottingham, who restored the doorway between 1825—30, and who placed a male head on a figure which still wore female drappings! In all other examples of the pair, both figures are female. It was towards the end of the thirteenth century that, as Viollet-le-Duc explains (*Dictionnaire Raisonné de l'Architecture Française du XI^e au XV^e siècle*, Paris 1861, Vol. V p. 154), "it became customary to place on Cathedral facades, two female figures, one with a broken standard, with a reversed crown at feet, letting the Tables of the Law drop; her head is bowed, her eyes covered with a bandage, or (as at Bordeaux) with a dragon which coils round her forehead — it is the Ancient Law, the Synagogue, a dethroned queen whose glory is departed, blinded by the spirit of evil. The other statue bears a crown on her uplifted head; her expression is proud; in one hand is a standard, in the other a chalice. She triumphs. It is the New Law, the Church." There are several other extant examples (at Bamberg, Rheims, Paris, Lincoln); the most famous being that in Strassburg (c. 1250). The tablets of the Law reversed also appear in the Church of Notre Dame at Trèves. The artists were true to their craft, for though the theological motive was to do dishonour to the Synagogue, yet they added to the aesthetic value of their work by invariably depicting the Synagogue as a beautiful woman, slender, graceful, infinitely pathetic. Now, there were companion pictures of Synagogue and Church long before the thirteenth century. There are two colossal figures of the fifth century, on the wall inside the portal of the church Santa Sabina, Rome (Crowe, *op. cit.* I, 13). The Synagogue is not treated here in a humiliating spirit, nor does the Church assume an attitude of arrogant triumph. Similarly with a ninth century Carovingian Ivory possessed by the Bibliothèque Nationale (described by P. Hildenfinger in his fine essay: *La Figure de la Synagogue dans l'art du moyen-âge* in *Revue des Études juives* XLVII 187. The author also cites a specimen in South Kensington, but I have not been able to identify it). In the Paris example, according to M. Hildenfinger, the Synagogue is seated on a throne, draped in a long and becoming mantle, a fold of which covers the head and the nape of the neck; in one hand she holds an object, which looks like a sharp instrument, in the other, a banner, a sign of power. The Church, erect, walks towards her; she also carries a banner, and lifts her right hand towards the forehead of her rival. The two religions regard each other with sympathy; there are no indications of overthrow or impotence. This type, concludes M. Hildenfinger, was fixed in the ninth century. What caused

the change? Between this type and the thirteenth-century Cathedral statues come the Crusades, the activity of Innocent III, the growing mediæval prejudice. The same accessories of broken lance, Tables, blindness recur (as the same writer points out) in the Mystery Plays and the Disputations. We should a priori expect to find the Tables of Stone used in humiliating guise in the thirteenth century. And we find it in a curious connection. The badge inflicted on the Jews of England, took at that epoch the form of the Tables of Stone (see the illustrations cited by J. Jacobs in *Jewish Encyclopedia* I, 8 and II, 426). Yet the contrast drawn by Hildenfanger between earlier and later centuries must not be pressed so far as he presses it. In a glass medallion at St. Denis, belonging to the mid-twelfth century, we see Jesus between the Church and Synagogue, crowning the former and unveiling the latter (*E. Male L'Art Religieux du XIII^e Siècle en France* fig. 67), a gracious version this of the ordinary type of the period.

The Decalogue in Art thus plays its rôle in the history of the animosities between ancient Judaea and mediæval Rome. But it also appears on the scene in the conflict between the Papacy and the Reformation. What is the meaning of such entries as those which are still to be read in the Church of Great St. Mary's at Cambridge? Expenditure is recorded in 1552 for "painting the Scriptures" on the walls, and in 1556 for „washing out the Scriptures". The reference is to the painting in and out of the Decalogue (and other texts) in the English churches, during the Reformation and the Catholic revival under Queen Mary. Under Elizabeth, they were once more restored. In 1560 it was ordered (*Cardwell, Documentary Annals* I, 262) "that the tables of the commandments may be comlye set or hung up in the east end of the chauncell, to be not only read for edification, but also to give some comelye ornament and demonstration that the same is a place of religion and prayer." A similar order was made in 1564 (*Cardwell op. cit.* 292): "Item, That they shall decentlie cover with carpet, silk or other decente coveringe, and with a fayre linnen clothe (at the time of the ministracion) the comunyon table, and to sett the Tenne Commandementes upon the easte walle over the said table." What was often done was to deface or erase the paintings over the rood and tympanum, and replace them with the Decalogue and other texts. It is true that this introduction of the Decalogue was not exactly a Protestant innovation, for, says Mr. Francis Bond (*Screens and Galleries in English Churches*, 1908 p. 131) "in pre-Reformation wills, bequests occur for setting up the Commandments". Where, however,

the scraping off of the paintings had made the walls unsightly, we find more poignant reference to the erection of the Decalogue. Elizabeth's Commissioners complain that "those who spare no cost on their private houses, in God's house permit 'open decaies and ruines of coveringes, walls and wyndowes, and . . . leave the place of prayers desolate of all meet ornaments for such a place'." Elizabethan Tables of the Commandments still exist at Ludlow, Aylmerton and Bengeworth. It is remarkable that though the Reformers objected so passionately to the presence of figures in the Churches, their feeling was directed rather against New Testament than Old Testament worthies. In the post-Reformation period, figures of Moses and Aaron were quite commonly fixed on the screen, with the Tables of the Law (F. B. Bond and D. Bede Camm, *Rood screens and Roodlofts*, 1909, I, 98). Yet in 1547 "all images were pullyd down thorow Ynglonde, and all churches whyte-lymed with the commandments written on the walles" (quoted, *op. cit.* p. 101, from the *Chronicle of Grey Friars*). Nevertheless, two very large paintings of Moses and Aaron may be seen at Washfield, Devon; they were formerly over the screen, but now are hanging near the West end of the Church. Others remain at Helpringham, Lincolnshire, over the screen (*op. cit.* I, 113). In more than one instance (as at Ellingham, Hants) the painting of the Last Judgment is still visible under the text of the Decalogue (*op. cit.* Vol. II, Plate CXXVIII b). It is altogether a remarkable incident in religious history. In some churches, the Decalogue is still placed on the two sides of the Rood-Screen, even when the latter itself is a modern substitute for an older structure, to which the still extant stairs bear witness. Such a case is excellently represented in the church of St. Mary's, Oxted, Surrey, where the Ten Commandments appear in tasteful decorative style, north and south of a modern screen, which replaces a much older one, probably of the fifteenth century. Coton (Cambs.) rejoices in a Palimpsest, which now stands at the West end; it must have been transferred from the Rood loft, as it is too large to have stood over the altar. It bears a rude representation of the clouds which overhung Sinai, and has the name of God in four languages — Hebrew, Greek, Latin and English. How usual it became to find the Decalogue in Protestant places of worship half a century back is aptly illustrated by a passage in the *Biglow Papers*: "He was a cabinet-maker, and was once employed to make some commandment-tables for the parish meeting-house. The parson, a very old man, annoyed him by looking into his workshop every morning, and cautioning him to be very sure to pick clear mahogany, without any knots in

it. At last, wearied out, he retorted one day, 'Wal, Dr. B., I guess ef I was to leave the n o t s out o'some o'the co'man'ments, 't would soot you full ez wal!'" Nowadays the commandments are all tending to be left out. I have never seen them in an English cathedral, and it is becoming the exception rather the rule to find the Decalogue in the Church of England edifices. The change has again been in part due to artistic influences. The decoration schemes for the modern High Church Altars have no place for texts. And so, once more, art, properly the handmaid of religion, becomes her mistress.

Art, however, cannot accomplish the impossible, and in one direction at least the words of Scripture triumphed over it. The wit of man could not inscribe the Ten Commandments artistically on two tablets. This remark does not refer to the e n u m e r a t i o n of the Commandments, but to their distribution on the two tables. The painters of the Church Decalogue sometimes evaded all attempt to end a commandment with the first tablet, but ran on consecutively, breaking up the fourth commandment in so doing. Mostly, however, they divided them into four and six, or even into three and seven. The Jewish division on the other hand, has predominantly been five and five (see the excellent article in J. E. IV, 495 by E. Koenig and E. G. Hirsch and Excursus IV to C. Taylor's edition of the S a y i n g s of the Jewish Fathers). There was also the view that all the commandments were duplicated, appearing as wholes on each tablet (T. J. Sheqalim, VI, hal. 1); this seems to be the opinion adopted in the Responsum published by L. Ginzberg (cited above). The author decides that the 620 words were written on each table in columns of 62 words each. But the five and five distribution was that generally accepted (see Mechilta בְּרֵאשִׁית ed. Friedmann p. 70 b). C. Taylor and J. Rendel Harris in their editions of the T e a c h i n g s of the T w e l v e A p o s t l e s 1886—1887 respectively — pages 27 and 81 — give reasons for supposing that the five and five division was known to the Jewish author of the first draft of the D i d a c h e. It certainly does not seem as though the author of the above-cited Responsum, who cannot be earlier than the end of the 11th century (see Ginzberg op. cit. p. 23) was familiar with the now usual Synagogue tablets. As already indicated it is not possible to trace the Synagogue tablets to any early date, nor is it probable that, as the Decalogue was forbidden to be recited daily, the tablets with full text would have been set up in the Jewish places of worship. The oldest Jewish Drawings of Arks (in the Roman catacombs) convey no hints of any tablets. Equally, the ancient Ark from the Cairo Geniza, now in the Jewish Theological Se-

minary, New York — an Ark which apparently goes back in part to the Mohammedan conquest of Egypt (see Seminary Report 1902-4 p. 126) — bears various Hebrew inscriptions but not the Ten Commandments. The same negative conclusion may be drawn from the absence of the Decalogue in the Gothic Ark shown in the fifteenth century Cramer Ms. of Maimonides' Code. That the popularity of the Decalogue in the Reformed Churches led the Jewish artists to design similar ornaments for the Synagogues, it would be hazardous to do more than mention as a bare possibility. This seems too ironical to be true. If this were the case it would be a very remarkable instance of the inverted phenomena of history. The Synagogue removed the Decalogue from its daily liturgy because of the *minim* (T. B. Ber. 12a), then possibly introduced the Tablets in imitation of the *minim*! Inscriptions of texts on the walls of Synagogues were earlier, as may be gathered from the statement of Maimonides and from the Toledo example. But in neither case is the Decalogue mentioned. At all events we do not find the whole of the Ten Commandments on any Synagogue tablets; but only the first two words, occasionally even one word only in the affirmative commandments. In some Italian Synagogues three words appear; this is the case in the seventeenth century scuola spagnuola and the scuola tedesca at Padua, in the former the inscription is on a pillar as well as over the Ark (with this one may both compare and contrast the pictorial illustration of the Ten Commandments in scenes round a pillar at Roslin Church near Edinburgh). In another Italian example at Livorno of the same date as those of Padua the ten Commandments are beautifully written, with crowns and other decorations, on the inside of the doors of the Ark, so that they become visible when the Ark is thrown open. This reminds one of the method adopted in an old Synagogue in Mantua where there are no tablets over the ark, but the Decalogue is written on the silver cupboard-like case holding each scroll. In Livorno, whereas each of the second series of five commandments consists of two words, each of the first five has three words. As exactly the same arrangement of the words occurs in a magnificent nineteenth century Scroll-mantle in Padua we may assume that this has been a settled habit in parts of Italy and not uncommon among Sephardim elsewhere (for fine photographs of the Italian Synagogues cited, see *Mitteilungen der Gesellschaft zur Erforschung jüdischer Kunstdenkmäler*, Frankfurt am Main, Vol. I, 1900, plates 8 and 14, Vol. II, 1901, plates 41 and 42, Vol. III, 1903, plate 22). The first, second, fourth and fifth command-

ments have three words in the eighteenth century Synagogue in Husiatyn Galicia (op. cit. Vol. III, plate 7). I find it hard to believe that the beautiful Italian specimen of the tables comes from a Synagogue (dated 1671, see the reproduction in J. E. XI, 663), for here we have not only (on the right) Moses on his knees receiving the Law, but a full figure of the Lawgiver occupying the centre with a table resting on the ground at each side and supported by his hands. Still Cherubim hover over the Tablets on an English red velvet headpiece for the Ark made in 1749 (see plate 60 in C. Adler and J. M. Casanowicz' description of the Benguiat Collection in the National Museum, Washington), and as I have seen the same device actually reproduced in an American Synagogue and have heard of its occurrence in Russia, we cannot therefore reject as impossible any artistic vagaries. The Benguiat specimen, as well as another (op. cit. plate 11) made of yellow silk in Padua in 1736, where the Tablets are borne aloft on clouds, is strikingly beautiful. The fact that Rembrandt strives to introduce the whole of the text in his picture may imply that he found no models to imitate in the Dutch Synagogues of his age; the 1675 Amsterdam Synagogue has the Tablets, through I am not informed as to whether they are as old as the fabric. One other detail of arrangement may be noted. In the Husiatyn example each commandment occupies two lines, an arrangement found four centuries sooner in the last five commandments in the Sarajevo Haggadah, where again the affirmative precepts (the first, fourth and fifth Commandment) have each only one word. A similar arrangement in which each commandment occupies two lines (the first five commandments having three or four words, the last five only the usual two) may be seen in a Benguiat Mizrah (op. cit. plate 100).

It is in the seventeenth century Synagogues that we first have clear archæological evidence — for even at that late date literary evidence is lacking — that the Tables of the Decalogue were included in the structural scheme (see *Mitteilungen* ut supra for several instances). In Rome — where as Berliner (*Geschichte der Juden in Rom*, II. 100) says at all times prevailed the proverb “A Roma i dieci Comandamenti stanno nelle dieci lettere: D a p e c u n i a m” — there are three sixteenth century Synagogues (Il Tempio, Catalana and Siciliana) which have the Tables (Berliner reproduces these Arks) but in none can the ornament be said to form an integral elementary design. (It may be added that the Siciliana Synagogue now has the Decalogue twice over; in Oriental Synagogues several copies of the Tablets often occur, some of them written on paper and affixed to the wall.) These are also seven-

teenth century curtains for the Ark which clearly present the Decalogue (there is a gorgeous example at Mainz, *Mitteilungen* III, fig. 10; notable are two hills, said to represent the giving of the Written and Oral Laws at Sinai). It does not, of course, follow that the copies of the Decalogue are necessarily as late as the seventeenth century because they were merely attached, sometimes very flimsily, to the cornice over the Ark. Sometimes the tablets have been built into the outside facade as at Antwerp, Odessa, and Rome (see the reproductions in *J. E. I.*, 659, and XI, 632, 638) but none of these is ancient, and the same remark applies to the Tablets which appear in a glass window of the Szegedin Synagogue (op. cit. p. 650). Somewhat older are extant examples of the Tablets on the Mizrah and Mezuza (for a good reproduction of the former see *J. E.* VIII, 628, of the latter *Mitteilungen* III, fig. 98).

The unfeeling action of Edward Ist of England who compelled even Jewesses to wear the tablet-shaped badge, has been alluded to in a previous paragraph. English Jews at that same period themselves, however, made secular use of the same badge. It appears on the thirteenth century seal of Bonifay, son of Briton, of Nottingham (see the photograph by F. Haes in his *Edition de Luxe of the Catalogue of the Anglo-Jewish Historical Exhibition 1888*, plate 4). In more recent times the symbol has often appeared on medals, as on that struck in commemoration of the French Sanhedrin (1807), as well as on the mottoes of the Alliance Israélite and of the Bene Berith. Modern Jewish craftsmen, who are groping after a specific Jewish Art, show a growing tendency to use the emblem; it is often found on title-pages of Jewish periodicals, it figures in the Montefiore trophy of 1840, and in the newest Bezalel designs. Moreover, American architects have of late freely introduced the device into the ornamentation of Synagogues, and a fine use is made of the emblem on the facade of the new Hebrew College at Cincinnati. It is a pleasing fact that the emblem does not appear to have been much if ever used until quite recent times as an amulet; the reproductions given in the *Mitteilungen* (III, figures 124, 125) may be mere ornaments. On the former we have the sacrifice of Isaac, on the latter the tablets where, a single word representing each commandment, we have on the left side a mere series of notes. Perhaps the most remarkable instance of the use of the symbol may be recognised in the medal designed by Abrahamson (master of the Prussian mint) to celebrate the enfranchisement of the Jews of Westphalia in 1808 (see the reproduction in *J. E. I.*, 123). On both sides appear the Tablets. On the reverse, a female figure (representing the Synagogue) kneels before an altar against which rest

the Tablets, while a broken chain stretches along the foreground. On the obverse we have a unique specimen of syncretism. Two winged figures — Synagogue and Church — embrace; behind the former incline the Tablets, behind the latter the symbol of Christ. This forms a quaint contrast to the appearance of the Tablets in caricature (an instance of the year 1753 is described by I. Solomons in *Transactions of the Jewish Historical Society of England*, VI, p. 226). Perhaps, too we can only treat as a caricature the introduction of the Tablets by Schudt (*Jüdische Merkwürdigkeiten* 1717, see *J. E.* XI, p. 154) in the Procession of Prague Jews in honour of the birthday of Archduke Leopold, May 17., 1716. And it goes without saying that the Decalogue appears in pictures of the Oath *more Judaico*. To end, however, on a more pleasant note, allusion may be made to the many fine title-pages on which the Tables are beautifully reproduced. And I do not especially refer to works by Jews, such as the Sabbatian *Tiqqun* of 1666, or the *Nizzaḥon* of 1644, or the Amsterdam Bible of 1679 — the last has a finely artistic medallion of the reception of the Law (see the reproductions in *J. E.* XI, 153, 155, 156). I refer more particularly to the Title-pages of the 1600 Jena edition of Luther's Works, of the 1698 Amsterdam edition of Surenhusius, and of the 1744 Venice edition of Ugolinus.

With this I must bring this desultory investigation to a close. Yet it has after all not been occupied with mere theological trivialities or artistic curiosities. On starting out it may have seemed that we were about to travel on a somewhat obscure and unimportant bye-path. But again and again we have found our track crossing the high road of culture and history. I do not, because of its subject, hesitate to offer this paper, inadequate though it be, as a tribute of veneration and affection to Dr. Kohler. He himself affords a notable example of a scholarship which, while following the great routes of theology and literature, yet finds inclination and genius for bye-paths also. His depth of learning is not more remarkable than his range of interests. Hence it seemed to me not inappropriate to offer in his honour a study which, though it has led to results crude enough, nevertheless has ranged over several of those manifold fields of inquiry in which Dr. Kohler has shown himself a master.

Satzung vom Sinai.

הלכה למשה מסיני

Von

Prof. Dr. Wilhelm Bacher, Budapest.

In den einleitenden Sätzen des Mischnatraktates *Aboth* findet die tannaitische Anschauung, nach welcher die überlieferte Lehre durch eine ununterbrochene Reihe berufener Tradenten von Geschlecht zu Geschlecht sich forterhielt, ihren klaren und autoritativen Ausdruck ¹⁾. Diese Anschauung ist auch in einzelnen Äußerungen alter Tannaiten zur Geltung gelangt. Bei Gelegenheit einer durch Gamliel I. in der Quaderhalle geleiteten Beratung nahm Nachum der Schreiber das Wort und sagte ²⁾: Ich habe es als Überlieferung von meinem Lehrer ³⁾ Meascha, der es von seinem Vater ⁴⁾ empfangen, der es von den „Paaren“ empfangen, die es von den Propheten empfangen, als Satzung an Moses vom Sinai ⁵⁾. Hier folgt eine, die stehen zu lassende Ecke des Getreidefeldes betreffende Norm. Diese Berufung auf die Tradition bietet — in umgekehrter Reihe — ungefähr dieselbe Tradentenkette wie der Eingang von *Aboth*. Allerdings fehlen in Nachums Äußerung die vor und nach den Propheten genannten Glieder der Kette ⁶⁾. Zwei Schüler Jochanan b. Zakkais bedienen sich einer ähnlichen Formel,

¹⁾ Die Träger der Tradition heißen die „Väter“, nach denen der Traktat benannt ist. Ebenso spricht Josephus (*Antiqu.* XIII, 10, 6) von der *παράδοσις τῶν πατέρων*. Vgl. Targum zu Hiob 15, 18: *מסורתא דאבהתהון*.

²⁾ M. Pea II, 6.

³⁾ In *מרבי מיאשא* ist *רבי* nicht Titel, da dieser alte Tannaite noch nicht mit dem Titel genannt wurde, sondern bedeutet: „mein Lehrer“. Freilich müßte es heißen *ממיאשא רבי*.

⁴⁾ Die richtige Lesung *מאבאי* für *מאבא* bezeugt R. Ascher zu *Nazir* 56 b.

⁵⁾ *שקיבל מן הוועות שקיבלו מן הנביאים הלכה למשה מסיני* ...

⁶⁾ In Tauchuma 27 במדבר (ed. Buber) ist Nachums des Schreibers Äußerung in gekürzter Form zitiert, und statt der Propheten sind die Ältesten (*זקנים*) genannt. — In b. *Nazir* 56 b bemerkt der babylonische Amora Nachman b. Jizchak, daß zwischen Moses und den Propheten Josua und Kaleb hätten genannt werden sollen. Josua ist in *Aboth* I, 1 genannt, und Kaleb entspricht wohl den dort genannten „Ältesten“

um eine von ihrem Lehrer empfangene Tradition als uralt zu bezeichnen: Eliezer b. Hyrkanos und Josua b. Chananja. Der erstere, bei Gelegenheit einer im Lehrhause von Jabne zum Beschlusse erhobenen Norm, erkennt die Übereinstimmung dieser mit der ihm bekannten Tradition an und sagt: Ich habe es als Überlieferung von Jochanan b. Zakkai, der es von seinem Lehrer gehört hat, und dieser von seinem Lehrer als Satzung an Moses vom Sinai¹⁾. Josua b. Chananja sagt in bezug auf eine die dereinstige Mission des Propheten Elija betreffende These, er habe sie von J. b. Zakkai empfangen, der sie von seinem Lehrer, dieser ebenso von seinem Lehrer gehört habe, als Satzung an Moses vom Sinai²⁾.

Diese drei Mischnastellen, in denen der Inhaber einer Tradition diese bis auf Moses zurückführt, sind zugleich die ältesten Beispiele für die Formel „Satzung an Moses vom Sinai“. Sie zeigen, daß diese Formel eigentlich der Schluß einer Traditionskette ist, durch die eine überlieferte Satzung auf den Ursprung aller Tradition, die durch Moses am Sinai von Gott empfangene Lehre, zurückgeführt wird. Die Formel besagt in bezug auf eine Einzelheit der Überlieferung dasselbe, was die Anfangssätze von Aboth von der ganzen Lehre aussagen. In dieser Formel gelangt die Anschauung zum Ausdruck, daß der gesamte Inhalt der mündlichen Lehre denselben Ursprung hat wie die schriftliche³⁾. Besonders lehrreich sind für die Anwendung der Formel die Äußerungen der beiden Schüler Jochanan b. Zakkais, die sich auf solche Überlieferungssätze beziehen, deren Inhalt einen mosaischen Ursprung im strikten Sinne von vornherein ausschließt⁴⁾.

¹⁾ M. Jadajim IV, 3: מקובל אני מרבן יוחנן בן זכאי ששמע מרבו ורבו. מרבו הלכה למשה מסיני. In der Tosefta, Jadajim II, 10, lautet auch im Munde Eliezer die Traditionskette genau so wie in M. Pea II, 6: מקובלני מרבן יוחנן בן זכאי שקיבל מן הוונות והוונות מן הנביאים ונביאים ממש הלכה למשה מסיני.

²⁾ M. Edujoth Ende. מקובל אני מרבן יוחנן בן זכאי ששמע מרבו ורבו. מרבו הלכה למשה מסיני.

³⁾ Vgl. das Kapitel über den Ausdruck פה שבעל in meiner Abhandlung „Die Ausdrücke, mit denen die Tradition bezeichnet wird“, Jewish Quarterly Review XX, 595.

⁴⁾ הלכה שניתנה למשה מסיני ist elliptisch gesagt für הלכה למשה מסיני. S. j. Schebiith 33 b, Z. 57: בשעה שניתנה הלכה. Vielleicht ist aber das zu ergänzende Verbum: שנאמרה. S. unten S. 3, Anm. 5; S. 6, Anm. 7; S. 10, Anm. 9; S. 11, Anm. 1. Der Ausdruck „vom Sinai“ ist eine Abkürzung für „von Gott am Sinai“; das gilt auch für מסיני in Aboth I, 1. Eine Analogie dazu bildet der Ausdruck מן השמים [ואין תורה], Sanhedrin X, 1. — Die Übersetzung mit „Halacha des Moses vom Sinai“ (Löw, Gesammelte Schriften I, 8, 271, 292, 316) ist unrichtig.

Es seien nun zunächst die Fälle vorgeführt, in denen die Formel *למשה מסיני* von Tannaiten angewendet wird.

1. Eleazar b. Azarja weist die exegetische Deduktion einer das Opferrituale betreffenden These durch Akiba mit folgenden Worten zurück¹⁾: Wenn du deine Regeln des Einbeziehens und Ausschließens auch den ganzen Tag anwendest²⁾, höre ich nicht auf dich; vielmehr ist jene These — zugleich mit zwei anderen — Satzung an Moses vom Sinai³⁾. Dieses Beispiel zeigt, daß unsere Formel die Bestimmung hatte, Halachasätzen, die nicht biblisch begründet werden konnten, den Überlieferungscharakter zuzuerkennen⁴⁾. Auch hier sind, wie in einigen anderen der folgenden Beispiele, inhaltlich gar nicht oder nur lose zueinander gehörige Halachasätze zu einer Gruppe vereinigt.

Eleazar b. Azarja ist es auch, der zweimal seine Zustimmung zu einer ihm mitgeteilten halachischen Meinung mit Worten ausspricht, die mit unserer Formel gleichbedeutend sind. Beidemale erzählte Ilai, der Vater Jehudas, El. b. Azarja habe, als er ihm eine Halacha im Namen des Eliezer b. Hyrkanos mitteilte, ausgerufen: Beim Bunde, das sind die Worte, die Moses am Sinai gesagt wurden⁵⁾! Dieser emphatische Ausruf drückt rhetorisch dasselbe aus, was die Formel einfach ausspricht. Durch Ilais Berichte gewinnen wir gleichsam einen Einblick in die Entstehungsgeschichte unserer Formel.

2. In der Schule Akibas begab es sich einmal, daß Akiba bei Gelegenheit eines bestimmten Falles eine ehegesetzliche These so behandelte,

¹⁾ Sifrâ zu Lev. 7, 12 (34 d, ed. Weiss); Menachoth 89 a. S. auch Nidda 73 a.

²⁾ Sifrâ: אפילו אתה אומר כל היום כולו בשמן לרבות בשמן למעט Menach.: אם אתה מרכה נל היום כשמו בשמן.

³⁾ חצי לוג שמן לתורה ורביעית לוג שמן לנויר וי"א יום שבין נדה לנדה הל"מ. Die ersten zwei Halachas finden sich im Zusammenhange mit andern in M. Menachoth IX (X), 3. — In j. Berachoth 8 d, 46 wird der Ausspruch, aber nur mit der dritten These, als Beispiel einer „Halacha“ aus der Traditionssammlung Bar Kapparas zitiert: תני בר קפרא (אמר) יא יום שבין נדה לנדה הל"מ.

⁴⁾ S. Nidda 73 a., als Schluß der talmudischen Erklärung: לר' עקיבא קראי לר' אלעזר בן עזריה הלכתא.

⁵⁾ a. Tosefta Pea III, 2; j. Pea 19 b unt.: ובשבאתי והרציתי הרברים לפני ר"א בן עזריה אמר לי התורה (הברית) אלו הרברים שנאמרו למשה בסני הברית אלו הרברים שנאמרו בחורב. — b) Tos. Challa I, 6: (מסיני, בחורב). — Im babylonischen Talmud, Pesach. 38 b, ist der Bericht verschieden von dem der Tosefta; doch ist nach einer Handschrift auch dort El. b. Azarja (nicht Eliezer b. Hyrkanos) der Urheber des Ausrufes. Nach einer, gewiß auf mißverständlicher Auffassung beruhenden Version daselbst (איכא ראמר) wäre der Ausruf ironisch gemeint.

als ob sie nicht von absoluter Gültigkeit wäre¹⁾. Als er bemerkte, daß die Jünger einander erstaunt anblickten, befragte er sie nach der Ursache des Staunens. Sie antworteten: So wie die ganze Thora Satzung an Moses vom Sinai ist, so ist auch diese These Satzung an Moses vom Sinai²⁾. — Dieser allem Anscheine nach treue Bericht beweist, daß in Akibas Schule die Anwendung der Formel gang und gäbe war und man nicht anstand, dieselbe auch auf die Lehre in ihrer Gesamtheit anzuwenden, obgleich sie ihrem Wortlaute nach nur von einer einzelnen Satzung — Halacha — ausgesagt werden könnte. Jedoch hat in dieser verallgemeinernden Anwendung הלכה die generelle Bedeutung von Überlieferung überhaupt. Dabei ist jedenfalls beachtenswert, daß der Satz כל התורה הלכה למשה מסיני dasselbe besagt, was im Eingange von Aboth die Worte: משה קיבל תורה מסיני.

Eine interessante Bestätigung des aus dieser Anekdote für die Schule Akibas sich Ergebenden bietet sich in der bekannten Legende über Akiba dar, wie sie Rab gedichtet hat³⁾. Moses bekommt in dieser Dichtung Gelegenheit, die Tätigkeit Akibas zu beobachten, wie er „aus jedem Häkchen“ des biblischen Textes „Haufen von Halachas“ ableitet. Er wird Zeuge der Diskussionen zwischen Akiba und seinen Schülern und wird ganz kleinmütig, als er das hier Vorgetragene nicht verstand. Endlich hörte er, wie bei einer These, die Akiba vorträgt, die Schüler ihn fragen: Meister, woher hast du das?⁴⁾ Akiba antwortet: Es ist Satzung an Moses vom Sinai. Dadurch wurde Moses wieder ruhig. — Ohne Zweifel liegt diesem Teile der Legende, die in sehr feiner Weise die Grundanschauung vom mosaischen Ursprunge der mündlichen Lehre durch Moses selbst zur Kenntnis nehmen läßt, echte Kunde vom Verfahren Akibas zugrunde. Wo seine exegetische Methode versagte, dort wandte er unsere Formel an⁵⁾.

3. Matthia b. Charasch (oder Cheresch), ein Tannait der vorhadrianischen Zeit, erklärt mit unserer Formel die Regel, daß fünf

¹⁾ Nidda 45 a.

²⁾ כשם שכל התורה הלכה למשה מסיני כך פחותה מבת שלש שנים כשרה לכהונה הל"מ.

³⁾ Menachoth 29 b. S. Die Agada der Tannaiten I, 271 (2. Auflage S. 263).

⁴⁾ כיון שהגיע לדבר אחד אמרו לו תלמידיו רבי מנין לך. Sie fragen demnach nach der biblischen Begründung der betreffenden Halacha.

⁵⁾ Aus dem, was oben (Nr. 1) El. b. Azarja gegenüber Akiba äußert, ist ersichtlich, daß Akiba auch dort exegetische Deduktion aus dem Bibeltexte anwendet, wo Andere von der Formel Gebrauch machen.

Buchstaben des Alphabetes am Ende der Worte anders zu schreiben sind als am Anfang und in der Mitte, für von alters her überliefert¹⁾. Eine Andeutung hierfür fand man in dem aus diesen Buchstaben selbst gebildeten Mnemonikon: מן צופיק (oder מן צופיק, nach Jes. 52, 8)²⁾. „Deine Seher“, d. h. die Propheten, erscheinen als die Vermittler der Tradition oder als Urheber der Regel. Vielleicht aber bildete schon M. b. Ch. jenes Mnemonikon, das er aber — מן צופיק im Singular lesend — auf Moses bezog.

Die nun folgenden Nummern zeigen die Anwendung der Formel in a n o n y m e n tannaitischen Aussprüchen.

4. Der Brauch, am siebenten Tage des Laubhüttenfestes die Bachweidenzweige abzuklopfen, ist Satzung an Moses vom Sinai³⁾.

5. Eine von Jose b. Abun (Ende des 4. Jahrhunderts) vorgetragene tannaitische Überlieferung lautet: Daß die Phylakterien viereckig und schwarz sein müssen, ist Satzung an Moses vom Sinai⁴⁾. Eine im babylonischen Talmud mehrfach gebrachte Baraitha nennt bloß die erste der beiden Erfordernisse⁵⁾.

6. Eine Baraitha wendet unsere Formel, und zwar diese an die Spitze des Satzes stellend, auf die Bestimmung der für Phylakterien und Türkapseln (Mezûza) vorgeschriebenen Pergamentarten an⁶⁾.

7. Eine längere Baraitha des jerusalemischen Talmuds⁷⁾ gibt eine vollständige Reihe von Regeln für die Verfertigung und Schreibung von Bibelabschriften, mit unserer Formel an der Spitze⁸⁾. Es sind im ganzen

¹⁾ J. Megilla 71 d, 34: משם ר'מתיא בן חרש אמרו מנצפך הלכה למשה מסיני.

²⁾ J. Megilla 71 d, 34: Samuel b. Jizchak; Gen. r. c. 1: Josua b. Levi; b. Megilla 2 b, Sabbath 104 a, Gen. r. ib.: Chija b. Abba (s. Die Agada der Tannaiten 1, 388 (2. Aufl., 384). Am genauesten ist das Mnemonikon paraphrasiert durch Samuel b. Jizchak: מה שהתקינו לך הצופים.

³⁾ Tos. Sukka III, 1. Hingegen fand A b b a S a u l (ib.) eine exegetische Grundlage für diesen Brauch. Zum anonymen Ausspruche vgl. die Kontroverse zwischen Jochanan und Josua b. Levi in Sukka 44 a: חד אמר ערכה יסוד נביאים וחד אמר ערכה מנהג נביאים S. auch unten Nr. 11.

⁴⁾ J. Megilla 75 c 6: תפלין מרובעות שחורות הל"מ.

⁵⁾ Menach. 35 a: תנא תפלין מרובעות הל"מ (Sabbath 28 b: תניא; Megilla 24 b: תנו רבנן).

⁶⁾ Sabbath 79 b. Menachoth 32 a: הל"מ תפלין על הקלף מוזה על דוכוסוסים. Vgl. B l a u, Studien zum althebräischen Buchwesen, S. 29.

⁷⁾ Megilla 71 d, 9. Ohne Angabe des Baraithacharakters (תני), wie oft im jerusalemischen Talmud. Innerhalb dieser Baraitha ist an einem Punkte die abweichende Meinung Jehudas I. erwähnt (Zeile 15).

⁸⁾ הל"מ שיהו כותביו בעורות.

zwanzig Regeln¹⁾, von denen die ersten acht das Schreibmaterial und die Äußerlichkeiten der Rolle, sieben die verschiedenen Intervalle der Schrift und des Textes, zwei die Buchanfänge, endlich drei die Verteilung der Schrift auf dem Pergamente betreffen. Daran schließen sich zwei weitere Regeln über die Herkunft des zum Schreibmaterial dienenden Leders von reinen Tieren. — Im Traktate Soferim²⁾ ist die letzte Regel, nebst einer andern dazu gehörigen, besonders als Satzung an Moses vom Sinai bezeichnet³⁾. Ebenso sind daselbst die ersten drei Regeln unserer Baraitha, mit Voranstellung der Formel, zu einer besonderen Regel vereinigt⁴⁾.

8. Innerhalb einer Baraitha des babylonischen Talmuds⁵⁾ über die Verfertigung der Phylakterien wird die Regel, daß man zum Zusammenrollen der Phylakterien nur das Haar der reinen Tiere und zum Zusammennähen derselben nur deren Sehnen benutzen dürfe, durch die ausdrückliche Angabe bekräftigt, daß dies Satzung an Moses vom Sinai sei⁶⁾.

9. Ohne die Anwendung unserer Formel, aber mit ähnlicher Ausdrucksweise lehrt die Schule Ismaels, in Lev. 11, 47 b sei ein Hinweis enthalten auf die achtzehn Arten schwerer körperlicher Verletzungen oder Gebreche, durch welche ein Tier dem Begriffe „terēpha“ unterliegt und nicht gegessen werden darf⁷⁾. Der genannte Bibeltext bildet keine exegetische Grundlage für diese Halacha, sondern deutet nur auf sie hin⁸⁾.

10. Ganz in derselben Art findet Ismael (b. Elischa) selbst in Exodus 21, 1 eine Hindeutung auf die von ihm aufgestellten Regeln: sie sind Moses am Sinai übergeben worden⁹⁾. In dem Worte משפטים sieht demnach Ismael eine Andeutung der exegetischen Normen. Er

¹⁾ Weiß דור ודורשיו I, 73, 2, zählt nur 11 Regeln, weil er den Schluß der Baraitha, von Z. 15 an (bis Z. 34), außer acht läßt.

²⁾ Soferim I, 1.

³⁾ והל"מ שכותבין על עורות בהמה טהורה ועל עורות חיה טהורה. Was dann folgt: ותופרין בגידן וכורכין בשערן ist eine Modifizierung von Regel 4 (וכורכין בשיער) und Regel 7 (ותופרין בגידין) in unserer Baraitha. S. unten Anm. 6.

⁴⁾ והל"מ שמסרגלין בקנה וכותבין על העור בדיו.

⁵⁾ Sabbath 108 a.

⁶⁾ והל"מ שהתפלין נכרכות בשערן ונתפרות בגידן. Vgl. oben Anm. 3.

⁷⁾ Chullin 42 a: שרפוח שנאמרו למשה מסיני: ... Es sind die 18 in der Mischna Chullin III, 1 aufgezählten Fälle.

⁸⁾ S. Raschi z. St.: הן הלכה למשה מסיני הן.

⁹⁾ Mechilta des R. Simon b. Jochai z. St. (ed. Hoffmann, S. 117): ואלה המשפטים ר'שמעאל אומר אלו שלש עשרה מדות שהחזרה נדרשת בהן שנמסרו לו למשה מסיני.

konnte diese um so mehr als auf alter Tradition beruhend ansehen, da seine dreizehn Regeln aus den sieben, von Hillel überkommenen Regeln durch Spezialisierung einer der letzteren entstanden sind. Die Quelle, aus der in unseren Tagen die Kenntniss des jenen Ausspruch Ismaels enthaltenen Midraschwerkes erschlossen wurde, der Midrasch Hagadol, bietet auch im Eingange zu Leviticus die Baraitha über die dreizehn Regeln mit einer ihren Ursprung vom Sinai betonenden Einführung ¹⁾. — Damit ist auch die Quelle für die Angabe Maimunis, die dreizehn Regeln seien am Sinai gegeben worden, erschlossen ²⁾.

* *

11. Unter den amoräischen Autoritäten, welche als Gewährsmänner für die Anwendung unserer Formel auf einzelne Satzung genannt werden, steht voran Nechunja (auch Chunia, Chuna, Huna) aus der Ebene von Bēth (auch: Berath) Chauran, ein alter Amora, in dessen Namen schon Jochanan tradiert ³⁾. Er faßt drei Halachas zu einer Gruppe zusammen und sagt von ihnen, sie seien Satzung an Moses vom Sinai, nämlich: die Halacha von den zehn Setzlingen (M. Schebiith I, 6), den Brauch von der Bachweide am siebenten Tage des Hüttenfestes und die Wasserlibation beim Morgenopfer der sieben Tage dieses Festes ⁴⁾.

12. Jochanan (tradiert durch Assi): Die Gültigkeit der Gesetze über die Baumfrüchte der ersten drei Jahre (Lev. 19, 23) außerhalb des heiligen Landes beruht auf Satzung an Moses vom Sinai ⁵⁾.

¹⁾ S. Hoffmann, Berliner-Festschrift, hebr. Teil, S. 61: ר'ישמעאל אומר שלש עשרה מדות שהתורה נדרשת בהן נמסרו לו למשה מסיני. Im Eingange zum Sifrâ bloß: ר'ישמעאל אומר כי"ג מדות התורה נדרשת

²⁾ In der Einleitung zum Mischna-Kommentar (p. 92 a oben der Talmud-Ausgaben): כמדות השלש עשרה הנחונות על הר סיני שהתורה נדרשת בהן.

³⁾ S. Die Agada der palästin. Amoräer III, 566.

⁴⁾ Sukka 34 a, ibid. 44 a, Moed Katon 3 b, Taanith 3 a, Zebachim 110 b, tradiert von Jochanan: עשר נטיעות ערבה וניסוך המים הלכה למשה מסיני. Im palästin. Talmud (Schebiith 36 c, 60, Sukka 54 b, 47) tradiert Abba b. Zabdai im Namen desselben Chunia (Nechunja), die drei Satzungen gehören zu den Institutionen der alten Propheten, während Abba b. Chija im Namen Chija b. Abbas als Ausspruch Jochanans tradiert, daß sie הל"מ seien (Schebiith 36 c, 53, wo נטיעות עשר ergänzt werden muß, s. Ratner, אהבת ציון וירושלים, z. St.). S. auch oben Nr. 4.

⁵⁾ Kidduschin 41 a: ערלה בחוצה לארץ הל"מ. Wie Ulla (ib. 38 b) referiert, verstand Jochanan den Ausdruck הלכה in M. Orla III, Ende (ערלה הלכה) im Sinne von הל"מ (s. auch j. Orla 63 b, 43).

12 a. Wie Chija b. Abba tradiert, erklärte Jochanan eine die Anfertigung der Thorarollen betreffende Vorschrift als Satzung vom Sinai ¹⁾).

13. Jochanan: Die Maßbestimmungen für die Quantität der zum Genuß verbotenen Gegenstände, die der Bestrafung unterliegt, sind Satzung an Moses vom Sinai ²⁾. So wird der Ausspruch richtiggestellt, nachdem die zuerst überlieferte Form desselben ³⁾ als unhaltbar erwiesen worden. Zu der richtiggestellten Form wird auch eine tannaitische Tradition gleichen Inhalts herangezogen ⁴⁾).

14. Jizchak, der besonders als Agadist berühmte Schüler Jochanans, erklärt gewisse Eigentümlichkeiten der geschriebenen Bibeltexte als Satzung an Moses vom Sinai ⁵⁾. Für den Sinn, in welchem unsere Formel gebraucht wurde, ist die Tatsache bedeutsam, daß die genannten Eigentümlichkeiten zum Teil mit nichtpentateuchischen Texten belegt sind.

15. Derselbe Amora erscheint als Autor eines die Phylakterien betreffenden Ausspruches, der einem oben — unter Nr. 7 — erwähnten tannaitischen Ausspruche analog ist ⁶⁾).

16. Von Rab tradiert Chija b. Aschi einen Ausspruch, in welchem drei, sachlich einander fernstehende Gegenstände mittels unserer Formel zusammengestellt werden; und zwar zuerst die schon oben — unter Nr. 13 — erwähnten Maßbestimmungen, dann zwei mit ähnlich klingenden Ausdrücken benannte Satzungen: über gewisse die Wirkung des rituellen Bades beeinträchtigende, weil den Körper vom Wasser scheidende Dinge, und über die Beschaffenheit der Scheidewände in den Vorschriften zur Laubhütte ⁷⁾).

17., 18. Zwei verschiedene Tradenten erklären im Namen Rabs je eine Einzelheit der Phylakterien als Satzung an Moses vom Sinai:

¹⁾ Megilla 19 b: שיור החפר הל"מ.

²⁾ Joma 80 a: שיעורין של עונשין הל"מ.

³⁾ שיעורין ועונשין הל"מ.

⁴⁾ ... חניא נמי הכי. In dieser Baraitha wird noch die Meinung „Anderer“ mitgeteilt, wonach die Maßbestimmungen auf einer Institution des Jaabez und seines Kollegiums beruhen. Nach Temura 16 ■ war Jaabez (I. Chron. 4, 9) der Richter Othniel.

⁵⁾ Nedarim 37 b: מקרא סופרים ... הלכה למשה מסיני. S. Die Agada der palästin. Amoräer II, 225. Auch hier sind drei Eigentümlichkeiten zu einer Gruppe vereinigt.

⁶⁾ Sabbath 28 b, Menach. 35 a: רצועות שחורות הל"מ.

⁷⁾ Erubin 4 a, Sukka 5 b: שיעורין חציצין ומחיצין הל"מ.

Chananel¹⁾ und Jehuda, der Sohn des Samuel b. Schelath²⁾).

19.—22. Abaji wendete die Formel auf vier Einzelheiten der Phylakterien an³⁾).

23. Minjamin b. Chilkija: Das Linieren der Mezûza ist Satzung an Moses vom Sinai⁴⁾. Weiter wird angegeben, daß derselbe Amora als zweiter Tradent nach Chama b. Guria einen Ausspruch Rabs lehrte, wonach eine nicht linierte Mezûza unbrauchbar ist.

24. Dimi, der im vierten Jahrhundert zahllose Aussprüche der palästinensischen Schulen nach Babylonien brachte, gab auch Kunde von einem Satze, in dem unsere Formel auf die abergläubische Scheu vor der Zahl Zwei im Genusse von Früchten und dergleichen angewendet wird⁵⁾. Dies ist um so merkwürdiger, als man, wie ebendasselbst berichtet wird, in Palästina die abergläubische Scheu vor „Paaren“ überhaupt nicht kannte⁶⁾.

* *

Die mit amoräischen Autornamen versehenen Nummern der vorstehenden Liste stammen vielleicht zum Teil aus tannaitischen Quellen, wie das für Nr. 13 ausdrücklich bezeugt ist⁷⁾. Mehr als die Hälfte der Nummern hat die Beschaffenheit der Bibelhandschriften, des Bibeltextes, besonders aber der Phylakterien (und der Mezûza) zum Gegenstande⁸⁾. Andere beziehen sich auf das Tempel- und Opferrituale⁹⁾, auf die Gesetze der rituellen Reinheit¹⁰⁾, auf die Agrikulturgesetze¹¹⁾, auf

¹⁾ Menachoth 35 a: מ"ח תפילין הל"מ.

²⁾ Erubin 97 a, Menach. 35 b: קשר של תפילין הל"מ.

³⁾ Sabbath 62 a: מ"ח תפילין הל"מ (auch Sabbath 28 b, Menach. 35 a); מעברחא מ"ח תפילין הל"מ יו"ד של תפילין הל"מ — Menachoth 35 a: מעברחא מ"ח תפילין הל"מ, mit Anschluß an den in Anm. 1 gebrachten Ausspruch Rabs.

⁴⁾ Menachoth 32 b: שרטוט של מוזה הל"מ.

⁵⁾ Pesachim 110 b: כי אחי רב דימי אמר שחי ביצין שחי אגוזין שחי קשואין דבר אחר הל"מ. Was אחר דבר bedeuten soll — wird dazu berichtet — wußten die Gelehrten nicht festzustellen; darum hüteten sie sich davor, was immer gepaart zu genießen.

⁶⁾ במערכא לא קפדי אווגי.

⁷⁾ S. auch Nr. 15.

⁸⁾ N. 3, 7, 14; 5, 6, 8, 12 a, 15; 17—23.

⁹⁾ S. N. 1, 4, 11.

¹⁰⁾ S. N. 1, 16.

¹¹⁾ S. N. 11, 12.

die Ehegesetze¹⁾. Einige Nummern sind allgemeinen Charakters²⁾. Gruppen von je drei Gegenständen stellen vier Nummern dar³⁾.

Die Tendenz, das Geltungsbereich der Formel „Satzung an Moses vom Sinai“ zu erweitern, wird durch die Regel *Eleazar b. Pedath*s bezeugt, daß wo in der Mischna eine Halacha mit den Worten „in Wahrheit sagten sie“ eingeleitet wird, eine Satzung vom Sinai gemeint ist⁴⁾. — Auch *Jochanan* gewann seinen unter Nr. 12 gebrachten Ausspruch dadurch, daß er in der Mischna *Orla* III Ende הלכה למשה מסיני mit הלכה interpretierte⁵⁾. — Mit Hinblick auf den Bericht der Mischna, *Pea* II, 6 mit der Äußerung *Nachums* des Schreibers⁶⁾, sagte *Jochanan* (Trident: *Zeïra*⁷⁾): Wenn dir eine Halacha unter die Hand kommt und du weißt nicht, was du von ihr zu halten habest⁸⁾, so schiebe sie nicht auf einen andern Gegenstand; denn viele Halachas sind Moses am Sinai gesagt worden, die alle in die Mischna eingesenkt — und nicht sofort erkennbar — sind⁹⁾.

* * *

In der agadischen Schriftauslegung wird die Anschauung von der gleichzeitigen Offenbarung der Traditionslehre mit der schriftlichen Lehre vielfach zur Geltung gebracht¹⁰⁾. Die Erwähnung des *Sinai* in einigen Versen des *Leviticus* (7, 38; 25, 1; 26, 46) wird im *Midrasch* der Schule *Akiba*s (*Sifrâ*) als Hinweis darauf verstanden, daß alle Einzel-

¹⁾ S. N. 2.

²⁾ S. N. 9, 10, 13, 16.

³⁾ S. N. 1, 11, 14, 15.

⁴⁾ *Jer. Sabbath* 3 b, 69; 12 c, 46; *Terumoth* 41 b, 29; *Kilajim* 27 d, 12; *Nazir* 56 e, 60: כל מקום ששנינו (ששנו) באמת הלכה למשה מסיני. Im *babylon. Talmud*, *Baba Mezia* 60 a, sagt *Eleazar*, in bezug auf *M. Baba Mezia* IV, 11: עדיא אמרה כל באמת אמרו הלכה היא. Die in den Talmudausgaben, *Sabbath* 92 b, zu *M. Sabbath* X, 4 sich findende Angabe: הלכה למשה מסיני fehlt in den Handschriften und älteren Drucken (s. *Rabbinowicz* VII, 201). Vgl. die Glossen von *Ratner* zu *j. Sabbath* 3 b, 19 (S. 12) und zu *j. Terumoth* 41 b, 29 (S. 15 f.).

⁵⁾ S. oben S. 7, Anm. 5. Darum ist es im Sinne *Jochanans*, wenn in *Numeri rabba* c. 10 (§ 7) gesagt ist: אבל הלכה למשה מסיני שהאיש מדין את בנו כנויר ואין האשה מדרת את בנה כנויר. Es ist das ein Satz der Mischna, *Nazir* IV, 6, in bezug auf den *Jochanan* (b. *Nazir* 28 b) sagt: הלכה היא כנויר.

⁶⁾ S. oben S. 1.

⁷⁾ *J. Pea* 17 a, 49, *j. Chagiga* 76 d, 13.

⁸⁾ יאין את יודע מה טיבה (in *Ag. d. pal. Amor. I*, 261 von mir unrichtig übersetzt) bedeutet wörtlich: du weißt nicht, was ihre Beschaffenheit ist.

⁹⁾ שהרי כמה הלכות נאמרו למשה בסיני (מסיני: Var.) וכולהו משוקעות במשנה

¹⁰⁾ S. I. Qu. R. XX, 595 f.

heiten der biblischen Gebote Moses am Sinai gesagt wurden¹⁾. — In Deuter. 9, 10 fand Josua b. Levi²⁾, nach anderer Quelle Jochanan³⁾ (Tradent Chija b. Abba), angedeutet, daß der ganze Umfang der Tradition, selbst was in später Zeit ein scharfsinniger Schüler vor seinem Lehrer darlegen wird, Moses am Sinai gesagt wurde⁴⁾.

Merkwürdig ist das Bild, mit welchem die Agada die Erhaltung und Fortpflanzung der Tradition vom Sinai bis zu den Weisen vergegenwärtigt⁵⁾. Der Ausdruck כדרבנות, der in Koh. 12, 11 zur Kennzeichnung der „Worte der Weisen“ gebraucht ist, wird nämlich so erklärt, daß damit der Spielball der Mädchen — גדרור בנות — gemeint sei: sowie der Spielball von Hand zu Hand geschleudert wird und endlich in einer Hand zur Ruhe gelangt⁶⁾, so empfing Moses die Lehre am Sinai und überlieferte sie dem Josua und so weiter (es ist die Traditionskette in Aboth I, 1). — Der Agadist Berechja sieht in dem Ballspiel ein Bild für die Diskussion der sich mit der Thora beschäftigenden Gelehrten⁷⁾, und in den weiteren Worten des Koheleth-Verses findet er den Gedanken ausgesprochen, daß auch die verschiedenen Meinungen, die dabei geäußert werden, „vom Hirten“, das ist Moses, auf Grund dessen, was er von Gott, dem „Einen“, empfangen hat, „gegeben wurden“⁸⁾.

Die Vorstellung von der mit Moses beginnenden Überlieferung der

¹⁾ S. meine Terminologie der Traditionsliteratur I, 24, Anm. 3. Auch zu Lev. 27, 34 heißt es am Ende des Sifrâ: בהר סיני שבולם נאמרו כסיני. — In der berühmten Predigt Simlais über die biblischen Gebote (Makkoth 23 b) lauten die Anfangsworte, wie sie Maimuni im המצות ס' (arab. Original, ed. Bloch, S. 7, 9, 11) anführt: תר"י מצות נאמרו לו למשה מסיני. In den Talmudausgaben fehlt das Wort מסיני.

²⁾ j. Pea 17 a unt. und sonst.

³⁾ Megilla 19 b.

⁴⁾ S. Die Agada der Tannaiten I², 486.

⁵⁾ Anonym in j. Sanhedrin 28 a, 23, Koheleth r. zu 12, 11.

⁶⁾ J. Sanh.: מה הכדור הזה מקלמט מיד ליד וסופה לנוח ביד אחד כך משה... מה כדור זה מקלעין בה כידים ואינה נופלת כך משה... Keine der beiden Versionen ist richtig. Im Jeruschalmi muß statt מקלמט gelesen werden: מקלעות (Subjekt: בנות); statt וסופה l. וסופו, st. אחד l. אחר. In Koh. r. muß statt בה gelesen werden בו, st. ואינה נופלת, ואינו נופל. Im Tanchuma כהעלוך (ed. Buber § 25), Num. r. c. 15 (22) ist das Bild vom Ballspiel auf die Offenbarungsworte am Sinai angewendet: מה כדור של בנות מורקין בו לכאן ולכאן כך היו הדברים מורקין כסיני.

⁷⁾ Pesikta rabb. c. 3 Anf. (6 a), Num. r. c. 14 (4). Statt מלקטות muß es heißen מקלעות.

⁸⁾ דבריהם של אלו ואלו כולם ניתנו ממשה הרועה ממה שקיבל מיחירו של עולם.

zahllosen Halachasätze, aus denen die religionsgesetzliche Tradition besteht, führte zu Dichtungen, in denen die Tatsache veranschaulicht wird, daß infolge des mangelhaften Gedächtnisses der Tradenten in die Fülle des von Moses selbst Gelehrten große Lücken gerissen wurden. Eine solche Dichtung ist die von R a b ¹⁾, in der es dem ersten Tradenten Josua widerfährt, daß er dreihundert Halachasätze ganz vergaß und in bezug auf andere siebenhundert Zweifel in ihm entstanden ²⁾. — Eine andere Dichtung hat S a m u e l, den Kollegen Rabs, zum Autor ³⁾: Dreitausend Halachasätze wurden in den Tagen der Trauer um Moses vergessen. Man sagte Josua: Frage! ⁴⁾ Er antwortete: Sie — die Thora — ist nicht im Himmel! (Deut 30, 12). Später sagte man Samuel (dem Propheten): Frage! Er antwortete: Dieses sind die Gebote! (Lev. 27, 34), d. h. „von da an“ darf kein Prophet etwas Neues einführen ⁵⁾.

Im Anschluß daran wird im Talmud eine ganz ähnliche Agada des bereits oben genannten Jizchak (Nappacha) mitgeteilt in bezug auf eine einzige Halacha, in der aber die zur Wiedererlangung der vergessenen Halachas Aufgeforderten Pinchas und Eleazar sind, welche dieselben Antworten geben, wie in Samuels Agada Josua und Samuel ⁶⁾.

In R a b s erwähnter Dichtung sagt Gott selbst zu Josua: Es ist unmöglich, daß dir die vergessenen Halachas gesagt werden. Dem liegt die Idee zugrunde, daß mit Moses die Offenbarung auch in bezug auf die mündliche Lehre abgeschlossen ist; aber durch angestrenktes Nachdenken und Studieren können auch die vergessenen

¹⁾ Temura 16 a.

²⁾ In einer andern Dichtung R a b s, Sanhedrin 82 a, zu Num. 25, 7 erinnert sich Pinchas an eine von Moses gelernte Halacha (es ist die in M. Sanhedrin IX, 5 stehende: *והבועל ארמית קנאין היו פונען בו*); er sagt ihm: *אחי אבי אבא לא כך*. Mit Bezug darauf nennt der Talmud, Aboda Zara 36 b, diese Halacha *הלכה למשה מסיני*.

³⁾ Temura ibid.

⁴⁾ Josua wird aufgefordert, die vergessenen Halachasätze durch Befragung Gottes wiederzuerlangen.

⁵⁾ *אמר להם אלה המצות שאין נביא רשאי לחדש דבר מעתה*. Es ist das ein im Talmud oft zitierter Satz des Sifrâ (Ende).

⁶⁾ Die Schwierigkeit, daß in Jizchak Nappachas Dichtung Eleazar, d. i. der Sohn Aharons und Vater Pinchas', nach diesem genannt ist, habe ich (Monatschrift für Gesch. u. Wiss. des Jud. Bd. L, 1906, S. 625) damit zu beseitigen vorgeschlagen, daß man statt *אלעזר* lese: *אליהו*, also der Prophet Elijah. Aber es wird wohl richtiger sein, mit A p t o w i t z e r (ebendas. Bd. LI, S. 244) statt *אלעזר* zu lesen *אלקנה*; denn im Seder Olam c. 20 lautet die Reihenfolge der Propheten nach Moses: Pinchas, Elkana, Samuel.

Überlieferungen wiederhergestellt werden. Dies wird¹⁾ durch eine andersartige Dichtung A b a h u s veranschaulicht. Abahu sagt nämlich, mit Bezug auf eine tannaitische Agada, nach welcher in den Tagen der Trauer um Moses 1700 verschiedene Einzelheiten der halachischen Exegese und Gesetzeserläuterung in Vergessenheit gerieten; alle hat Othniel, der Sohn Kenaz', durch seinen Scharfsinn wiederhergestellt. Er belegt das mit dem Berichte über die Einnahme von Kirjath-Sefer durch Othniel (Richter 1, 13), indem er den Namen dieser Stadt allegorisch als Bezeichnung der von Othniel wiedereroberten Fülle des Wissens versteht²⁾.

Dieser Gedanke, daß vergessene Bestandteile der überlieferten Lehre durch deren Träger und Tradenten wiederhergestellt werden können, wurden durch denselben A b a h u so formuliert: Man hatte sie vergessen und dann wieder festgestellt³⁾. Abahu tat das, als ihn Ze'ira auf den Widerspruch zwischen den Aussagen über den Brauch der Bachweide (am siebenten Tage des Laubhüttenfestes) aufmerksam machte, indem derselbe bald als Satzung an Moses vom Sinai, bald als Institution der Propheten bezeichnet wird⁴⁾. Im babylonischen Talmud wird diese Formel Abahus einigemal zur Beseitigung ähnlicher Schwierigkeiten angewendet⁵⁾.

Ein Zeitgenosse Abahus, der Agadist L e v i, drückte behufs Ausgleiches der einander widersprechenden Aussagen und auch zur Beseitigung ähnlicher Schwierigkeiten den Gedanken der Wiederherstellung vergessener Halachas mit folgenden Worten aus⁶⁾: Sie — die Träger der Überlieferung — hatten die Satzung in ihrer Hand, vergaßen sie aber; da erstanden die Späteren und trafen — mit der Feststellung derselben Satzung — die Erkenntnis der Früheren⁷⁾. — Daran knüpfte

¹⁾ Temura ibid.

²⁾ Unter den daselbst stehenden weiteren Agadasätzen findet sich auch eine Baraitha, wonach Othniel mit Jaabez (I. Chron. 4, 10) identisch ist, dessen im Buche der Chronik erwähntes Gebet als Gebet um erfolgreiches Studieren und Lehren gedacht wird. Vgl. oben S. 8, Anm. 4.

³⁾ שִׁכְחוּ וַחֲזָרוּ וַיִּסְדּוּ.

⁴⁾ Sukka 44 a. S. oben S. 5, Anm. 3.

⁵⁾ Sabbath 104 a (Megilla 3 a), in bezug auf die fünf Endbuchstaben (s. oben Nr. 3); Joma 80 a, in bezug auf die Maßbestimmungen (oben Nr. 13); Megilla 3 a, in bezug auf das Targum. — In dem Satze שִׁכְחוּ וַחֲזָרוּ וַיִּסְדּוּ ist als Objekt der Verba שִׁכְחוּ und וַיִּסְדּוּ zu verstehen הַלְכוֹת; vgl. j. Erubin 22 c, 40: מִיִּסְדֵּי אֵת הַהֲלָכָה (s. meine Terminologie der Traditionsliteratur I, 73).

⁶⁾ Tradiert von Jose b. Abin an folgenden Stellen des palästinensischen Talmuds: Pea 15 b, 41; Schebiith 33 b, 61; Sabbath 3 b, 46; Sukka 54 b, 48; Kethuboth 32 c, 10.

⁷⁾ כִּךְ הָיָה הַלְכָה פִּירָם וְשִׁכְחוּהוּ וְעִמְדוּ הַשְּׁנִיִּים וְהִסְכִּימוּ עַל דַּעַת הָרִאשׁוֹנִים.

Levi stets die Lehre: Wofür die oberste Religionsbehörde ihr Leben einsetzte, das hat Bestand, als ob es Moses am Sinai gesagt worden wäre ¹⁾).

Eine anonyme Deutung der die Weisen des Stammes Jissachar rühmenden Worte in I. Chron. 12, 33 sagt von ihnen aus, daß sie bei der Feststellung der Satzung das Richtige trafen, wie die Satzung an Moses vom Sinai gegeben wurde ²⁾).

Derselbe Grundgedanke, daß die spätere Forschung den ursprünglichen Bestand der am Sinai empfangenen Lehre wiederherstellt, liegt auch in der durch ein Gleichnis veranschaulichten Mahnung Chelbos ³⁾), daß die aus dem Munde eines Gelehrten empfangene Belehrung so zu betrachten sei, als hätte man sie mit eigenen Ohren am Sinai vernommen ⁴⁾).

Der Name des Sinai als des Ursprungsortes der gesamten überlieferten Lehre wurde im 4. Jahrhundert zur Kennzeichnung des Schulhauptes von Pumbeditha, Joseph b. Chija, angewendet, als des großen Kenners der Traditionen, aus dessen Munde man sie gleichsam wie vom Sinai vernehmen könne ⁵⁾). Nach einer Äußerung Jochannans ⁶⁾) wäre die Bezeichnung „Sinai“ in diesem Sinne bereits in den Tagen Simon b. Gamliels II. üblich gewesen. Joseph b. Chija selbst sagt von Schriftauslegungen, die seinen besonderen Beifall fanden, der Ausleger habe den Text so erklärt, als hätte er es vom Sinai her ⁷⁾).

* * *

Indem ich hier sämtliche Zeugnisse der Traditionsliteratur für die Anwendung der Formel „Satzung an Moses vom Sinai“ — soweit sie mir

¹⁾ כמה שנאמר למשה מסיני ...

²⁾ Gen. r. c. 72, Schir rabba zu 6, 4: שכל אחיהם היו מסכימים ההלכה. על פיהם [והוא משיב להם הלכה] כהלכה למשה מסיני. Die eingeklammerten Worte fehlen in Schir r. — S. auch Esther r. zu 1, 13.

³⁾ Koh. r. zu 1, 10. S. Die Agada der palästin. Amoräer III, 62.

⁴⁾ שמעת תורה מתלמיד חכם יהי בעיניך כאילו שמעוה אוניך מהר סיני.

⁵⁾ Berachoth 64 a, Horajoth 14 a. S. Die Agada der babylon. Amoräer S. 102.

⁶⁾ Horajoth ibid.

⁷⁾ דרשיה להאי קרא כי סיני. Sota 21 a, von einer agadischen Exegese des Tannaiten Menachem b. Jose; Kidduschim 20 b, von einer halachischen Exegese Nachmans. Sehr auffallend ist an dieser Stelle die Autorangabe ר' יוסי רב נחמן. בר חנינא אמר רב נחמן. Vielleicht stand ursprünglich anstatt ר' יוסי רב נחמן der Name eines Tannaiten, etwa desselben, den Joseph in Sota 21 a rühmt, also ר' יוסי רב נחמן בר יצחק, woraus sich die jedenfalls falsche Lesart בר יוסי erklärt. In Cod. München fehlt der Name des Tradenten Jose b. Chanina, und beide Male heißt der Autor Nachman b. Jizchak. Aber dieser gehörte der auf Joseph folgenden Generation an.

nicht entgangen sind — zusammengestellt habe, war es mir nur darum zu tun, den Sinn dieser Formel und die ihr zugrunde liegende Anschauung aus dem Geiste jener Literatur selbst und ihrer Urheber, der Tannaiten und Amoräer, zu beleuchten. Von den Erörterungen halachischer und dogmatischer Natur, die sich an jene Formel und ihre Anwendung in späteren Zeiten knüpften, habe ich vollständig abgesehen. Die Idee der historischen Kontinuität im Judentume, die in unserer Formel zum Ausdruck gelangt, steht auch den Anschauungen des hochverehrten Mannes nicht fern, dem ich in gegenwärtiger Arbeit einen bescheidenen Beitrag zur Feier seines siebenzigsten Geburtstages darzubringen mich freue. Mögen ihm noch viele Jahre rüstigen Schaffens im Dienste des Judentums und seiner Wissenschaft gewährt sein!

Remarks on the importance of Zachariah as a Prophet.

(Zach. I—VIII.)

By

Prof. Moses Bittenwieser, Ph. D. Cincinnati.

וידעתם כי יהוה צבאות שלחני אליכם “Then ye shall know that the Lord Sabaoth hath sent me to you”.

The genuineness of this half-verse, which occurs Zach. II. 13, IV. 9, VI. 15, and with a slight variant II. 15, has been called into question by recent exegetes. Marti advances the theory that it was added, in each case, at a time when the prophecy in which it occurs was taken as applying to eschatological events¹), and Bāntsch dismisses it summarily as a redactorial gloss²). As a matter of fact, however, this half-verse, far from being an empty, tacked-on formula, is full of significance and force, not only fitting in perfectly with its context, but adding point and emphasis to the same. Possibly no other half-verse could be found which would so well illustrate the general situation as depicted throughout the book of Zachariah — on the one hand, the sublime faith of the prophet, and, on the other, the utter lack of faith on the part of the people. To his countrymen, skeptical, heedless of his prophecies, the prophet has enumerated the glorious triumphs in store for them, dwelling particularly — as one would expect after his lofty utterance, IV. 6, “Not by virtue of material strength and political power shall ye prevail, but by my spirit, saith the Lord” — on the great spiritual triumph awaiting them in the conversion of the nations. Then, he tells them, when this crowning triumph will have come to pass before their eyes, then they shall remember his words, shall know that he was the prophet of the Lord — in the words of the text, “Ye shall know that the Lord hath sent me to you”.

¹) See “Das Dodekapropheten”, Sacharja, Einleitung p. 394, and on chap. II. 13, and “Der Prophet Sacharja” in Kautzsch, “Die Heilige Schrift des Alten Testaments”³, II, p. 78.

²) See “Die Schriften des Alten Testaments übersetzt und erklärt” von Gressmann etc., II, 3, pp. 86 and 100.

Zachariah, as a prophet, has been greatly underrated by modern exegetes. While most critics acknowledge his zealous faith, and note that he made it his task to rouse the people from their apathy, they all, nevertheless, place him in the same category with his contemporary, Haggai, and with Ezekiel. Even Marti, whose appreciation of Zachariah's faith comes nearer to doing the prophet justice than any other tribute which has been paid him, fails to see the radical difference between him and those two.

To be sure, Zachariah lays great stress on the rebuilding of the Temple, as do they, and on the reinstating of the High-Priest, Joshua, into priestly glory, but it must not be overlooked that, on the other hand, he shows a far deeper grasp of the essential truths preached by the great prophets who preceded him, a much finer sense of the spiritual than does either Haggai or Ezekiel. Witness his answer to the people's enquiry, whether they should observe as heretofore the day of fasting in order to appease God's wrath: — Neither fasting nor feasting (the latter a reference no doubt to their sacrificial festivals), he tells them in effect, has God enjoined upon them through His prophets of old, but only this has He commanded them, to practise justice and righteousness and to love one another (cf. VII. 2—VIII. 17). Witness also his hope for a future spiritual Jerusalem: "Then Jerusalem will be called faithful city and the mountain of the Lord Sabaoth holy mountain", VIII. 3 b. (The amplification of this verse in vv. 7—19 shows beyond doubt that the verse is not to be interpreted in accordance with Joel IV. 17, as is generally done, but rather in accordance with Is. I. 26, IX. 9, which verses possibly inspired it.)

Finally, Zachariah's spiritual kinship with the great prophets is attested by the universalistic tendency of his future hope as expressed II. 15, VIII. 20—23: "Many nations shall join themselves to the Lord in that day, and shall be my people. — Thus saith the Lord Sabaoth; it shall yet come to pass that there shall come the people and the inhabitants of many cities; and the inhabitants of one city shall go to another, saying, let us go eagerly to pray to the Lord and to seek the Lord Sabaoth — I will go also. Yea, many people and mighty nations shall come to seek the Lord Sabaoth in Jerusalem, and to pray to the Lord. Thus saith the Lord Sabaoth, in those days it shall come to pass that ten men shall take hold from the various tongues of the nation, shall take hold of the skirt of him that is a Jew, saying, we will go with you: for we have heard that God is among you."

Zachariah's declaration, VII. 4—10, and repeated VIII. 15 f., that

God has not prescribed to them rules of ritual, but laws of moral conduct, and the emphasis which he consequently lays on the spiritual regeneration of the future Jerusalem make it seem highly probable that the Temple had in and of itself no value for him, as it had for Ezekiel and Haggai, but was of significance to him only as the token of Israel's future glory and of the recognition of YHWH.

The fantastic setting of Zachariah's prophecies, the genesis of which is traceable to foreign mythological ideas and to popular notions, tends to obscure at first the truly religious spirit which animates them. The symbolism and grotesque imagery, which he so freely uses, serves as a curious shell to deflect the attention from the vital, spiritual kernel it contains. And it is no doubt owing to this bizarre setting, so peculiarly unsympathetic as it necessarily is to the modern mind, that Zachariah has not found the appreciation he deserves.

Bemerkungen zur alten jüdischen Liturgie.

Von

I. Elbogen, Berlin.

I. Zur Methode der Forschung.

Die Geschichte der jüdischen Liturgie ist verhältnismäßig noch sehr wenig erforscht, die Wissenschaft ist über die Resultate, die Rapaport und Zunz vor achtzig Jahren gewonnen haben, bis in die Neuzeit nur um ein geringes hinausgeschritten. Durch die monumentalen Werke, in denen Zunz die synagogale Poesie des Mittelalters wieder entdeckt und beschrieben hat, wurde das Arbeitsgebiet stark verschoben, der Piut trat in den Mittelpunkt der wissenschaftlichen Studien, während die Erforschung der Stammgebete dahinter zurückblieb. Und doch sind die Stammgebete ihrem Inhalt, ihrer Bedeutung für die jüdische Liturgie sowie ihrer Einwirkung auf Christentum und Islam nach der weitaus wichtigere Bestandteil des Gottesdienstes. Unsere bisherige Kenntnis von ihnen beschränkt sich auf die Quellen, auf die Ausscheidung einiger jüngerer Zusätze, die durch äußerliche Merkmale leicht herauszufinden sind. Weitere Kriterien für die Unterscheidung jüngeren und älteren Materials in den Stammgebeten sind bisher nirgends aufgestellt; wichtige Gesichtspunkte hierfür sind noch nicht verwertet. So gut wie gar nicht beachtet wurden bisher das Sprachgut und der Stil der Gebete, obwohl einleuchtet, daß in der langen Periode, die wir als die der Stammgebete bezeichnen, der hebräische Wortschatz sich sehr verändert hat. Die Verwendung bestimmter Ausdrücke, gewisse Eigentümlichkeiten des Stils können ein wichtiges Merkmal für die Beurteilung der Abfassungszeit eines Gebetes sein. Von den Einleitungen zu מלכויות וזכרונות שופרות z. B. wird nur die zweite ausdrücklich Rab, dem Haupte der babylonischen Amoräer, zugeschrieben¹⁾; es liegt nahe, daß auch die beiden anderen von ihm stammen, aber direkte Beweise gibt es nicht dafür.

¹⁾ Vgl. b. RhSch. 27 a, j. das. I 3 (57 a).

Wenn aber gewisse Worte, die sonst in demselben Sinne nicht gebräuchlich sind, in allen dreien sich nachweisen ließen, so wäre damit viel gewonnen. Nun findet sich z. B. in allen dreien auffallend häufig das Wort *בראשית* im Sinne von Schöpfung; gewiß, das Wort kommt schon in der Mischna in derselben Bedeutung vor, aber doch immer nur in der festen Verbindung *מעשה בראשית*, nicht für sich stehend wie in unseren Gebeten. Auch *בריות* ist ein solches Wort, das wiederholt angewendet wird, während in dem aller Wahrscheinlichkeit nach älteren *ברואים* (¹) das dem biblischen Sprachgebrauche nähere dafür steht.

Ein zweites beachtenswertes Kriterium wären gewisse Inkonssequenzen in der Durchführung des einmal aufgenommenen Gedankenganges. Ein Beispiel bieten wiederum die *זכרונות*. Ihr Abschluß enthält die Bitte, daß Gott des Bundes mit den Vätern gedenke (*וזכר לנו . . את הברית ואת החסד ואת השבועה*), wozu die Bibelstelle Lev. 26, 45 *וזכרתי להם ברית ראשונים* sehr gut paßt; anstatt nun diesen Gedanken durchzuführen, schaltet der Verfasser (oder ein Überarbeiter?) das Thema der Opferung Isaaks (*עקרה*) ein und verschiebt dadurch den gesamten Inhalt; es ist nur konsequent, wenn er am Ende hinter *כבודך לפני כסא כבודך*, wain, womit der Gegenstand der *זכרונות* erschöpft und zum Anfange *כי אין שכחה וכו'* wieder-gekehrt ist, noch einmal auf das neue Thema zurückkommt (²). Ein anderes Beispiel liefert das schöne *נחת יד לפושעים* im Neila-Gebet des Versöhnungstages. Da wird Gott dafür gepriesen, daß er dem Sünder die Hand zur Rückkehr reicht und ihm in Reue und Bekenntnis das Mittel dazu angewiesen hat (*ותלמדנו להתודות לפניך*), den bösen Weg zu verlassen und wieder Gnade zu finden (*ותקבלנו בתשובה*) (*למען*); das soll durch ein Bibelwort gestützt werden (*שלמה לפניך*), wahrscheinlich durch ein ähnliches, wie später in *אשר אמרה* folgen. Statt dessen aber finden wir einen Hinweis auf die Opfer, die sonst in dem ganzen Stücke nicht erwähnt sind ³).

Beide Abweichungen von ihrem Gegenstande — man könnte sie als Enallage des Themas bezeichnen — sind offenbar dadurch veranlaßt, daß hier neue religiöse Gedanken in das Gebet hineingearbeitet werden sollten. Damit kommen wir zu dem bedeutungsvollsten Kriterium, das

¹) Es stammt wahrscheinlich aus den Malchujot des R. Jochanan b. Nuri; vgl. Elbogen, Der jüdische Gottesdienst, § 23, S. 141.

²) Das. S. 143.

³) In der Bibel kommt der Satz *אין קץ לניחחיו אשמתנו* nirgends vor.

bisher nur selten für die Erforschung der Liturgie verwertet worden und bei sorgsamer Anwendung wichtige Anregungen zu geben geeignet ist. So konservativ unsere Väter in ihren religiösen Anschauungen auch gewesen sein mögen, so haben doch ihre Glaubensvorstellungen im Verlaufe der Jahrhunderte, die für die Ausarbeitung der Stammgebete erforderlich waren, sich vielfach geändert; die babylonischen Amoräer teilten durchaus nicht immer die Meinungen ihrer palästinischen Zeitgenossen, und beide hatten sich vom Glauben der Tannaiten entfernt. Die Abweichungen, die die zahlreichen, neuerdings wiedergefundenen palästinischen Gebetstexte gegenüber den verbreiteten aufweisen ¹⁾, beziehen sich keineswegs lediglich auf Äußerlichkeiten des Stiles oder der Fassung, es liegen ihnen vielmehr häufig tiefgehende Divergenzen in der Auffassung religiöser Ideen zugrunde. In den traditionellen Gebetbüchern aller Riten wird beispielsweise um die Rückkehr der göttlichen Majestät nach Jerusalem gebetet (ולירושלים עירך ברחמים השוב) und die Eulogie der Bitte רצה drückt denselben Gedanken aus (המחזור), demgemäß Gott seinen Sitz auf dem Zion infolge der Zerstörung des Tempels verlassen hat und erst in der idealen Zeit der messianischen Zukunft wieder einnehmen soll; die palästinischen Texte hingegen kennen diesen Gedanken nicht, in ihnen lautet die Eulogie, wie in der ältesten Zeit, שאותך לבדך ביראה נעבוד, und jene Bitte wie in ähnlichen Gebeten רחם... על ירושלים עירך ועל ציון משכן כבודך (עבודה) usw.; erst in Verbindung mit der Bitte um Wiederherstellung der Opfer (עבודה) haben alle Texte eine Erinnerung an diese offenbar jüngere Vorstellung ²⁾. Ein anderes Beispiel bietet die Tefilla für die Festtage. Schon das einleitende אלה בחרת in der palästinischen Rezension der mittleren Benediktion unterscheidet sich von dem bekannten אלה בחרתנו dadurch, daß es statt der vielen Wiederholungen des Erwählungsgedankens in wechselnden Bildern das Ziel der Erwählung nennt, die Offenbarung, zu deren Inhalt die Einsetzung der Feste gehört ³⁾. Wichtiger ist die andere Abweichung, daß die palästinische Tefilla an sämtlichen Festtagen in jedem Gebete die Bitte um Herstellung des Gottesreiches auf Erden enthält und daß sie das Ziel der Bitte um Herbeiführung der messianischen Zeit bildet. In dem gebräuchlichen Texte hingegen ist die messianische Bitte auf das Musaf beschränkt,

¹⁾ Vgl. Schechter in JQR X, 654 ff., Israel Lévi in REJ LIII, 231 ff., Elbogen in MS, LV 426 ff., 586 ff.

²⁾ Der jüdische Gottesdienst § 38, S. 270.

³⁾ Zu den Wandlungen des Textes der עבודה vgl. das. § 9, S. 55 f.

⁴⁾ Das. § 22, S. 134.

und als ihr Ziel ist die Wiederherstellung des Opfers angegeben. Die Veränderung der Auffassung hatte die Abfassung einer neuen Einleitung zur Folge (ומפני חטאיו), die zugleich einen neuen Pragmatismus für die jüdische Geschichte aufstellt. Hier liegt die Absicht, bestimmte Vorstellungen in den Gebeten zum Ausdruck zu bringen, deutlich zutage, es ist Aufgabe der Wissenschaft, unter diesen Gesichtspunkten das ganze Gebiet der Liturgie zu erforschen.

Die Geschichte des Gottesdienstes ist die Geschichte der religiösen Ideen; die Vorstellungen, die im Denken der Gläubigen im Vordergrunde stehen, streben danach, sich auch im Gottesdienste zur Geltung zu bringen. In den Bewegungen und Kämpfen, die wir auf dem Gebiete des Gottesdienstes festzustellen in der Lage sind, spiegelt sich der Sturm und Drang wieder, der im religiösen Leben überhaupt herrscht. Die religions-geschichtlichen Gesichtspunkte müssen bei der Erforschung des jüdischen Gottesdienstes mehr als bisher beachtet werden. Ein solches Verfahren bedeutete zugleich eine Anerkennung der Methode des Jubilars, der stets die organisch-geschichtlichen Zusammenhänge zu ergründen bemüht war; seinen Abhandlungen auf diesem Gebiete, insbesondere seinen zahlreichen Artikeln in der *Jewish Encyclopedia* verdanke ich mannigfache Anregung und Belehrung, für die ich bei dieser Gelegenheit gern meinen Dank ausspreche.

II. Die älteste rabbinische Quelle über die Liturgie.

Es handelt sich um den Bericht der Mischna, der von dem Gottesdienste spricht, welchen die jeweilig den Dienst versiehenden Priester (אנשי משמר) jeden Morgen während des Opfers abhielten. Wir lesen ihn Tamid IV Ende und V Anfang. Bei allen Nachrichten der Mischna oder des Talmuds über den Gottesdienst ist zu beachten, daß sie nicht unmittelbar nach ihrem Entstehen schriftlich niedergelegt, nicht einmal sofort redigiert wurden; es muß daher häufig die Form vom Inhalt getrennt, es muß auch jedesmal geprüft werden, ob die alte Quelle in ihrer ursprünglichen Form oder im Sinne der Zeit, die sie überliefert hat, abgefaßt ist. Der Traktat Tamid gehört zu den ältesten Bestandteilen der Mischna, zu denen, die bei der Redaktion bereits fertig vorgelegen haben¹⁾. Schon darum gebührt der Mischna Tamid besondere Beachtung, weil ihre Mitteilungen uns in eine alte Zeit zurückversetzen. In unserem Falle zeugt auch der Bericht für sich; seine

¹⁾ Vgl. N. Krochmal מורה נבוכי הומו S. 208 und zuletzt Bassfreund in MS LI, S. 317.

Einzelheiten führen uns an die Anfänge der Liturgie zurück. Die Stelle der Mischna ¹⁾ lautet:

I וירדו ובאו להם ללשכת הגזית לקרות את שמע

II אמר להם הממונה ברכו ברכה אחת והם ברכו

III וקראו עשרת הדברים ושמע והיה אם שמוע ויאמר

IV וברכו את העם שלש ברכות אמת ויציב ועבודה וברכת כהנים.

Wir haben die einzelnen Abteilungen des Berichts untereinander gestellt, um sie nun der Reihe nach zu erläutern.

I. Die Priester vom Dienste unterbrachen die Opferhandlung und begaben sich nach der „Quaderhalle“. Sie sind schon vorher einmal dort gewesen, um durch das Los festzustellen, wem die einzelnen Funktionen zufielen. Das war noch vor dem Morgengrauen, als gerade die allerersten Vorbereitungen für die Herrichtung des Altars getroffen waren. Die „Quaderhalle“ lag an der Südseite des Tempels außerhalb des Altarbezirkes; auch Nichtpriester hatten Zutritt zu ihr, das Synedrium hielt dort Sitzungen ab ²⁾; sie war jedoch dem Altar nahe genug, daß die Priester sich zu den für den Kultus unentbehrlichen, aber doch mehr profanen Handlungen, wie dem Auslosen der Funktionen, dort versammeln konnten. Diesen nahen Raum mußten sie auch für ihr Gebet wählen, das mitten in das Opfer fiel und nicht allzulange Zeit in Anspruch nehmen durfte. Ohnehin war das Gebet der Priester wahrscheinlich nur eine Konzession an die allgemeine Strömung im Volke, eine Störung der Opferhandlung hätte es in keinem Falle herbeiführen dürfen. Der Zweck der Vereinigung der Priester in der Quaderhalle wird mit שמע לקרות angegeben. Sie haben nicht nur das Schma, sondern auch andere Stücke aus der Bibel gelesen und daneben einige Gebete gesprochen, aber das ganze heißt doch שמע לקרות; der Ausdruck ist im Sinne der späteren Zeit gewählt, die denjenigen Teil des Gebets, dessen Mittelpunkt die biblischen Abschnitte bilden, gemäß dem Anfangsworte des ersten als קריאת שמע bezeichnet. Wir sehen aber daraus, daß das Rezitieren jener biblischen Stücke als der wesentlichste Teil der Liturgie der Priester betrachtet wurde.

II. Das Gebet der Priester wird — wie ihr gesamter Dienst — von ihrem Abteilungsvorsteher (ממונה) geleitet, d. h. er hütet die äußere

¹⁾ Der Text ist nach der Ausg. von Lowe gegeben.

²⁾ Middot V 4. 5. Herzfeld, Geschichte des Volkes Israel von Vollendung usw., I, S. 395 geht zu weit, wenn er die Quaderhalle als die „Tempelsynagoge“ ansieht; er übersieht, daß die Priester auch zum Losen hingenen (Tamid II Ende), und geht ferner darin fehl, daß er die Anwesenheit von Laien beim Gottesdienste der Priester vermutet, worüber weiter S. 80.

Ordnung; er ist nicht etwa der Vorbeter, einen solchen scheint es nicht gegeben zu haben, es macht den Eindruck, als ob die Priester im Chore zusammen gebetet hätten. Wie er sie nach der Schilderung der Mischna zu allen anderen Handlungen auffordert, so ruft er sie auch zum Gebet auf: **ברכו ברכה אחת**. Der Aufruf wird nur das eine Mal mitgeteilt, sonst wird lediglich die Tatsache verzeichnet, daß sie in der Liturgie fortfahren. Bei der Darstellungsweise der Mischna wäre es nicht ausgeschlossen, daß zugunsten der Kürze die jedesmalige Aufforderung weggelassen wurde, aber es scheint doch, daß der Aufruf nur einmal erfolgte und das Zeichen zum Beginn des Gottesdienstes bedeutete, der dann von selbst in der gewohnten Weise fortgesetzt wurde. Wie ja auch in der Synagoge das **ברכו**, mit dem der Gottesdienst begann, nicht eine Benedeiung bildete, sondern die Aufforderung an die Gemeinde, sich zum Gebete bereitzuhalten. Hier ist es eine **ברכה**, d. h. ein Gebetstück, das die Priester sprechen sollen, in IV im Gegensatz dazu drei **וברכו**. **שלוש ברכות**. Die Liturgie ist völlig symmetrisch, in der Mitte stehen die biblischen Texte, ein Gebet geht voran, andere folgen.

III. Betrachten wir einen Augenblick die Bibelstellen, die hier aufgezählt sind. An erster Stelle steht der Dekalog, der heute nicht mehr im Gebet vorkommt, aber einst dazu gehörte; er ist, wie der Talmud berichtet, **מפני חרעומת המינים** ¹⁾ wieder beseitigt worden, das bedeutet, weil eine judenchristliche Sekte ihn allein als göttliche Offenbarung erklärte und ihre Ansicht mit seiner Aufnahme in das Gebet stützte. Der Papyrus Nash ²⁾ enthält bekanntlich neben dem Dekalog noch den Anfang des **שמע**, und es ist in unserm Zusammenhange besonders zu beachten, daß dem **שמע** derselbe Zusatz vorangeht, den auch die LXX vor Dt. 6, 4 hat und der, wie meist angenommen wird ³⁾, ebenfalls infolge der gottesdienstlichen Verwendung jenes Bibelwortes hinzukam. Bezweifeln muß man, ob von Anfang an die drei anderen genannten Abschnitte zur Liturgie der Priester gehörten. Über **שמע ויהי אם** ist es schwer etwas zu entscheiden, aber bei **ויאמר** spricht alles dafür, daß es ursprünglich **n i c h t** zur täglichen Liturgie gehörte, ⁴⁾ und daß auch an diesem Punkte die Mischna auf Grund der Gebete der späteren Zeit diejenigen der älteren beschreibt.

¹⁾ Die weitere Begründung ist ausdrücklich in j. Ber. I 8 (3 c) gegeben; vgl. dazu H. L. Strack, Jesus, die Häretiker usw., § 21 e. f.

²⁾ Vgl. Norb. Peters, Die älteste Handschrift der Zehngebote, Freiburg 1905.

³⁾ Vgl. z. B. Herzfeld das. II, S. 186.

⁴⁾ Elbogen, Studien zur Geschichte des jüd. Gottesdienstes, 1907, S. 16 f.

IV. Auf die Bibelabschnitte folgen wiederum einige Gebete. Welche das sind, darüber gehen die Meinungen sehr auseinander; der Text wird meist als verderbt und sehr verbesserungsbedürftig angesehen. In Wirklichkeit sind nur die beiden Worte **את העם** irreführend, die den Anschein erwecken, als sollte hier von einem Segen für das Volk oder einem Gebete mit dem Volke zusammen die Rede sein. Das ist jedoch ganz ausgeschlossen, andere als Priester haben an diesem Gottesdienste nicht teilgenommen, die Worte **את העם** sind zu streichen, Hai Gaon las sie nicht ¹⁾, und auch in Bezael Aschenasis Text war ein Strich über sie gesetzt ²⁾, offenbar damit sie nicht mitgelesen würden. Fallen aber diese Worte aus, so sind sämtliche Schwierigkeiten behoben, dann ist hier nur ausgesagt, daß entsprechend der einen Benediktion, die den Bibeltexten vorausging, drei ihnen folgten, und zwar die drei genannten **אמת ויציב**, **ברכת כהנים** und **עבודה**. Unter **ברכה** ist hier nicht, wie man meist erklärte, eine Benediktion des Achtzehngebets zu verstehen, vielmehr ein Gebet überhaupt; ein solches aber ist **אמת ויציב** ebenso wie die beiden folgenden **עבודה** und **ברכת כהנים**. Das sind beides Bitten, und zwar Bitten, die durch den Ort des Gebets und die dort versammelte Gemeinde bedingt sind. **עבודה** hat denselben Inhalt wie die gleichnamige Bitte des Achtzehngebets, die gnädige Aufnahme des Opfers ³⁾. **ברכת כהנים** ist nicht der Priestersegens im gewöhnlichen Sinne, denn er wurde noch nicht in einem so frühen Stadium des Opfers und außerdem auf den Stufen der Tempelhalle gesprochen, vielmehr muß das ein Gebet für die Priester gewesen sein, das, wie die Mischna weiter berichtet, am Sabbath durch eine fernere Bitte für die vom Dienste abziehende Abteilung erweitert wurde. Auch der Hohepriester sprach ja am Versöhnungstage neben der Bitte **על העבודה** eine solche **על הכהנים** ⁴⁾, und es ist sehr leicht möglich, daß sie beide von dort in die tägliche Liturgie der Priester übertragen wurden. Oder man müßte annehmen, daß auch hier der Sprachgebrauch der späteren Zeit gewählt ist und daß mit **ברכת כהנים** ein solches Gebet bezeichnet wird, wie später auf den Priestersegens folgte, eine Bitte um Frieden. In jedem Falle aber ist der Sachverhalt der, daß es nicht zwei Bitten der Schemone Esre waren, die in die Priesterliturgie übernommen wurden, sondern daß die Bitten in der Priesterliturgie ursprünglich waren und von da in das Achtzehngebet übergingen. Man übernahm sie so, wie sie waren,

¹⁾ Responsen d. Geonim, ed. Harkavy, Nr. 258.

²⁾ **שטה מקובצת** zu Tamid V 1, vgl. Rabbinowicz, Dikduke Sofrim I, S. 26 a.

³⁾ Vgl. schon Raschi zu b. Ber. 11 b.

⁴⁾ Joma VII 1.

an den Schluß der Schemone Esre und dort blieben sie als Bitten stehen, obwohl nach der allgemein angenommenen Disposition der Tefilla der letzte Teil dem Danke gewidmet sein sollte¹⁾. In der Priesterliturgie gingen die Bitten nur so nebenher, sie bildeten nicht die Hauptsache, denn der Zweck des Gebets war ja לקרות את שמע יא.

Und damit kommen wir auf die noch offene Frage zurück, was denn das für ein Gebet war, das den Bibeltexten vorausging. מאי ברכה אחת lautet die Frage bereits im Talmud²⁾, schon dort werden zwei widersprechende Antworten gegeben, und der Zwiespalt besteht bis heute unausgeglichen fort. Nach beiden Talmuden ist nicht daran zu zweifeln, daß אהבה רבה darunter verstanden wurde, dasselbe אהבה רבה, das man auch ברכת חורא nannte, das, wenn man es bereits im Gebet gesprochen hat, von einer besonderen Benediktion über das Studium dispensiert. Das ist eine einleuchtende Auffassung, daß der Rezitation der biblischen Texte eine ברכת חורא genannte Benediktion, mit andern Worten ein Dank für die Offenbarung vorausging. Als Abschluß folgte אמת ויציב, das ist die Anerkennung der Offenbarung, die Bestätigung, daß die den Vätern verliehene Tora, deren Grundlehren soeben zum Vortrage gelangt sind, auch den Enkeln als die Wahrheit gilt. Das ganze Gebet der Priester wäre demnach ein Bekenntnis, wie es ursprünglich das קריאת שמע überhaupt gewesen ist, ehe es zum täglichen Morgengebet wurde. Nach der anderen Auffassung wäre das Schma stets Morgengebet, und die eine Benediktion יוצר אור gewesen. Der Talmud kennt auch diese Anschauung, er weist sie jedoch als unmöglich zurück. Der Gottesdienst der Priester fand zu einer sehr frühen Morgenstunde statt, in der es gemeinhin noch gar nicht gestattet war, das Schma zu lesen משמר עם אנשי משמר הקורא עם. לא יצא מפני שמשכימין הן. Es war noch gar nicht heller Tag, so wird in beiden Talmuden eingewendet, und darum konnte man unmöglich das Morgengebet יוצר אור sprechen. Es wäre auch keine Beziehung zwischen יוצר אור und den folgenden Bibelstellen, keine Korrelation zu אמת ויציב zu erkennen. Das sind die hauptsächlichsten Gründe, die mich bei der Annahme leiten, daß יוצר אור in der täglichen Liturgie jünger ist als אהבה רבה und erst aus der Zeit stammt, als das vom babylonischen Exil her eingeführte Bekenntnis zum täglichen Morgengebet gemacht wurde.

¹⁾ Der jüd. Gottesdienst, S. 31.

²⁾ b. Ber. 11 b, j. I 8 (3 c).

Kawwana: the Struggle for Inwardness in Judaism.

By

Rabbi H. G. Enelow, D. D., New York.

All religion is rooted in emotion. Whether it be awe, fear, or love, it originates in a sentiment that comes from, and goes to, the heart. Founders and reformers of religions have recognised this fundamental truth. The difficulty, however, has lain in preserving the spirit of inwardness. It has been the common fate of religious ideas, no matter how vital and genuine at first, to lose their inner meaning and force in the course of time, and religious institutions are wont to drift away gradually from the spirit that created them, and to continue in sheer mechanical fashion.

Judaism has not escaped this common experience. It would have been a miracle if it had. Dr. Kohler points out the danger that lurked in the talmudic insistence on the minutiae of performance; it jeopardised the inwardness of the religious life, notwithstanding the constant admonitions of the teachers¹). But even before the talmudic age the peril of perfunctoriness was not absent. That is what the Prophets strove to check. "When you come to appear before me, who hath required this at your hand, to tread my courts? Your new moons and your appointed feasts my soul hateth: they are a trouble unto me; I am weary to bear them. And when ye spread forth your hands, I will hide mine eyes from you: yea, when ye make many prayers, I will not hear: your hands are full of blood"²). Is not this but one of the numerous passages in the Bible showing that even in those early days, despite the Prophets, religious institutions had turned into mere mechanical devices, religious ideas lost their force, and prayers become a mere spreading forth of hands and hollow sounds? The tendency to perfunctoriness is an ancient

¹) "Systemat. Theologie", p. 340.

²) Isaiah 1, 12—15; cf. 29, 13.

characteristic of, and menace to, Religion; and Judaism has formed no exception.

Those, however, that approach Judaism from without, and with bias against it, fail to realize that in this respect Judaism has shared a malady common to all religions, rather than showed any peculiar predisposition of its own. Schürer, for instance, asserts summarily that the formalism of the Jewish teachers, laying stress as they did on accuracy of performance, was far from true piety. There could hardly be any question of true piety, according to him, where prayer, the central feature of the religious life, was bound in the fetters of fixed forms. Prayers that were made the subject of regulation could not help becoming a mere matter of outward performance. Under such conditions, Schürer asks, what availed it that the prayers in themselves were full of beauty and meaning, seeing that they were recited as a matter of duty? Of what good was it, he adds, for R. Eliezer to warn against the perfunctory performance of prayer, if he himself helped make it such? The activity of the rabbis, he asserts, could not help degrading prayer into mere ostentation and hypocrisy ¹).

Bousset is less categorical. To him the externalisation of prayer, as a result of fixed forms and periods, is no longer an indisputable matter of fact, or inevitable. He contents himself with the verdict that such a result was "not precluded". Indeed, he adds a footnote to the effect that "at all times other voices made themselves heard, showing that a spiritual construction of prayer was not dead". Moreover, Bousset admits that no church had ever escaped externalisation of its prayers, adding the following significant words: "On the other hand, one must not underestimate what the regular order of worship and fixed prayers must have meant to the average religious life, what this saturation and transfusion of everyday life with the thought of God must have meant to a whole religious community" ²).

Bousset, in this particular regard, shows more insight than Schürer. But they both, as well as their entire school, err in some important respects. First, it is an error to assume that the minute regulation of the religious life was in itself antagonistic to spirituality and inwardness, or that it necessarily had that effect among the Jews; as if the discipline of an army or the laws of a country must necessarily suppress patriotism, or the rigorous training of the sciences destroy love and enthusiasm for them. Secondly, it is an error to ignore the positive efforts put forth

¹) Schürer, *Gesch. d. jüd. Rel.* II⁴, p. 569 ff.

²) Bousset, *Religion d. Judent.*, p. 205 f.

by Jewish teachers to safeguard the inwardness of the religious life. The real significance of Judaism has lain in its never losing sight of the ultimate object of all Religion, and in its constant effort to maintain the spiritual character of its institutions and precepts, though its exponents have held with Newman that "till we have some experience of the duties of religion, we are incapable of entering duly into the privileges". When some teachers declared that the laws and commandments were given only for the purpose of purifying and sanctifying Israel¹), they really summed up the perennial attitude of Judaism. It has always kept up a struggle for the conservation of inwardness. Its teachers have always insisted, in the words of Isaac Arama, that "what is hidden under the wings of the Tora is more than its outward expression"²). This is the peculiar characteristic of Judaism and the secret of its vitality.

This struggle for inwardness in Judaism is reflected in the history of the doctrine of Kawwana, a sketch of which I offer. Kawwana is a thoroughly Jewish doctrine. Both the word and the idea belong to Judaism. Indeed, there is no one word in any other language — certainly not in English — connoting all that the term Kawwana embraces³). It may mean intention, concentration, devotion; it may mean purpose and the right spirit; it may mean pondering, meditation, and mystery. The word kawwana connotes all these things, for the reason that it kept on gathering significance from the religious experience of the Jewish people. The doctrine of the Kawwana is thoroughly Jewish, and in its history we catch a glimpse of the struggle for the maintenance of inwardness in Judaism.

The word kawwana does not occur in the Bible. In its Aramaic form of *k a w w a n u t h* or *k a w w a n t a* we meet it in the Targumim⁴). But the verb כון is found in the Bible frequently, in different forms, foreshadowing the various meanings that kawwana eventually assumed. It is coupled with "heart", "spirit", or "way". It is mostly found in the

¹) Cf. בשאחם קדושים הרי אתם שלו and בשהמקום מחדש מצוה על ישראל הוא מוסיף להם קדושה Mekhilta, Mishpatim 20 (ed. Weiss, p. 104); cf. *ibid.* p. 26; Siphre, Waethhanan, end; Wayiqra Rabba, XIII (לא נתנו המצוות אלא לזכות את הבריות)

²) אקדאת רב הוא מאד הטמון תחת כנפיה מתנמצא בחיצוניה Aqedath Yizhaq, (ed. Pollack) V, 151 b.

³) Cf. Steinthal, Zur Bibel u. Religionsphil., p. 151.

⁴) Cf. Targ. Jonath., Numb. 35⁸⁰, where בצדירה is translated בכוכבית לבא, and Targ., Ps. 74, where the words אם עשיתי זאת are expanded into אין עבדית שירתע אהרא בכנףא כישא

Psalms, though not wanting elsewhere. In I Samuel 7, 3 we read: "If you do return to the Lord with all your heart, then put away the strange gods, **והכינו לבבכם אל ה'** and prepare (or direct) your hearts unto the Lord." In the Psalms we hear of the generation that prepared not, or set not aright, its heart: **לא הכין לבו** (78⁸), while the characteristic form **נכון** corresponding to **שָׁלֵם** elsewhere¹⁾, occurs several times, mostly with **לב**, but also with **רוח**; in each instance it means right, steadfast, a heart properly attuned²⁾. In the later historical books the same verb occurs several times, as a rule with "heart", but also with "ways", which means practically the same thing. "Ezra had set his heart to seek the law of the Lord"³⁾. The expression is found several times in II Chronicles⁴⁾, though absent in parallel passages in Kings. Finally, we find it in Job, with the idea of prayer: "If thou set thine heart aright **אם אתה הכינות לבך**, and stretch out thine hands toward Him"⁵⁾; while in Amos, Israel is bidden "to prepare toward" his "God"⁶⁾ — to make the proper preparation for the day of judgment **הכון לקראת אלהיך** — a passage regarded by critics as a later interpolation⁷⁾. All in all, it seems clear that this use of the word belongs to a later period.

The verse from Job, just cited, prepares us for the idiomatic use of the word in the Talmud. In the Mishna it occurs in the form of **כִּנּוּן** and is coupled with "the heart". A question arises with regard to the Sh'ma. Suppose a man was reading the Tora, and in the course of it read the Sh'ma. Was the duty of reciting the Sh'ma thus fulfilled? Says the Mishna: "If he was reading in the Tora the portion containing the Sh'ma and the time came for the obligatory reciting of the Sh'ma, it depends upon whether he set his heart upon it; if he did, he has complied with his duty"⁸⁾. **כִּיּוֹן לְבוֹ** is here used in a twofold sense: first, he must intend to say the Sh'ma, mere accidental reading not being sufficient; and second, he must do it with devout concentration. The latter follows from what is added in the same Mishna: during the reading

1) Cf. I. Kings 15, 3—14.

2) Psalms 57⁸ 78³⁷ 108³ 112⁷ 51¹⁰.

3) Ezra 7¹⁰.

4) Cf. 2 Chron. 12¹⁴ 19³ 27⁸ 30¹⁰.

5) Job 11¹².

6) Amos 4¹².

7) Cf. Marti Kurz, H.-C., Dodekaproph., p. 185, cf. T. Y. Meg. 71, where **הכון** is explained ■ **התכוון**.

8) Cf. Mishna, Berak. II, 1.

of the Sh'ma interruptions are not permissible. Between the several sections of the Sh'ma, R. Meier held, a man may greet and return greetings to one to whom he owes respect, while in the middle of a section he may do so for one whom he fears; though R. Jehuda held that in the middle of a section one could greet from fear and return greetings to one entitled to respect, while between passages one may greet as a matter of respect and return greetings to all¹). The object of these minute regulations was to bring about concentration, and to keep the saying of the Sh'ma from becoming mechanical. Indeed, this is proven by the general principle deduced from this Mishna by the Gemara; namely, that *מצוות צריכות כוונה* — the fulfillment of religious duties requires kawwanna²).

From discussion of this principle in the Gemara, we learn what the rabbis meant by kawwana. In the first place, it was agreed by all that mere accidental reading, such as for the purpose of examining the text, was not enough; the intention to proclaim the Unity, to take upon oneself "the Yoke of the Kingdom"; must be present in the mind of the reader. Then, Kawwana included intelligent recital: Rabbi held that the Sh'ma must be said "as it is written", in Hebrew; but the sages held that it may be said in any language, because they construed the word *שמע* to mean not only "hear" but also "understand" — "in any language that you can understand"; they did not agree with Rabbi in his view, based on *והיו*, that the original words must be repeated³). Thirdly, the question of sustained devotion was considered. Was it enough to say with the proper degree of care only the opening words, or did the entire Sh'ma demand kawwana? R. Eliezer held that the opening words only required kawwana. But R. Aqiba said: "It is written, 'And these words which I command thee shall be upon thine heart', whence one must conclude that the whole section requires kawwana." The later rabbis adopted the view of R. Aqiba, that kawwana means sustained devotion throughout the prayer. Finally, the discussion contains a suggestion of the mystic interpretation of the Kawwana, which came to play an important part in the later kabbalists; namely, intensity of devotion. Referring to the recital of the opening verse of the Sh'ma,

¹) Ibid.

²) T. B. Berak. 13a.

³) Cf. *ibid.*; Mishna, Berak. II, 3, Tosefta, Sota VII, 7. — For the superstitious objection to the use of Aramaic in prayer on the ground that the angels did not understand it, see Sota 32b; cf. Menahem Azariah da Fano, *Asara Maamaroth*, *אם כל* I, 31.

Symmachos said: "Whoever lingers on the word e h a d, his days and years will be prolonged". R. Aha bar Jacob laid special stress on the last letter of e h a d, which R. Ashi approved, provided the ה is not slurred. R. Jeremiah, we are told, sat before Rabbi, and when the latter heard him recite the Sh'ma and dwell with unusual length and emphasis on the e h a d, he remarked: "As soon as you have apprehended His kingship above and below and in the four directions of heaven, you need do no more!"¹) Was it rebuke or instruction? At any rate, it offers a glimpse of another aspect of the idea of kawwana and of a later stage of its evolution: intense pondering of the words of prayer and of their mystic content²). In the course of time, however, kawwana came to designate devotional temper in the best and purest form. "Be careful", said R. Simeon b. Nethanel, "in the reading of the Sh'ma and in prayer, and when thou prayest, make not thy prayer a fixed task, but a real yearning and supplication before the Lord"³). "Take with you words and return to the Lord" (H o s e a XIV, 3): the Lord said to Israel: My children, I ask of you neither whole offerings nor sin offerings, but that you should please me with prayer, supplication, and devotion of the heart (כוונת הלב). And are empty words enough? It says: 'Thou art not a God that hath pleasure in wickedness, neither shall evil dwell with Thee' (P s a l m s V, 5): this means confession, supplication, and tears"⁴). It is this conception of prayer that made the talmudic

¹) T. B. Ber. 13 b; cf. T. Y. Ber. 4 a; also Rashi's explanation of the Sh'ma (ad Dt. IV⁴). On overdoing the praise of God (המספר בשבחיו של הקב"ה) cf. Meg. 18 a.

²) R. Hiyya's declaration אנה מן יומי לא אכוונית (Y. Ber. 5 a) has caused many explanations. Cf., e. g., Aqedath Yizhaq, III 17 a; Asara Maamaroth, אסר כל חי, I, 30.

³) Aboth II, 18; cf. Mishnah, Ber. IV, 4. The fixed prayers were not intended to suppress private prayers. The latter were common among the Talmudists. (Cf. T. B. Ber. 17 a, 28 b. Also: מפני מה הקנו תפלה בלחש שלא לבייש את עוברי עבירה Sota 32 b.) The question was only as to where they might be inserted at public worship. The general principle is laid down in the Tosefta: אין אומרים דבר אחר אמת ויציב אבל אומרים דברים אחר תפילה אפילו סדר וירוי של יום כפורים: "After the Tefillah one may say private prayers of any length, even as long as the confession of the Day of Atonement" (Cf. Elbogen, Studien z. Gesch. d. jüd. Gottesdienstes, p. 41). Prayers for special needs could be inserted at the appropriate places of the Tefillah (cf. Abodah Zara 7 b, 8 a; T. Y. Ber. 8 b).

⁴) Pesiqta Rabbathi, chap. 83 (ed. Friedmann, p. 198 b); cf. Midr. Tehillim, Ps. 108.

teachers call prayer "service within the heart" (עבודה שבלב)¹⁾, and to designate devotion in prayer ('Iyyūn Tefillah) as one of the most meritorious acts²⁾.

The principle that "fulfilment of the duties requires kawwana" is applied in the Talmud not only to prayer, but also to other religious duties³⁾. On the whole, "a man should see to it that his eyes, ears, and heart are set (מכוונים) upon the words of the Tora. For thus the Lord says to Ezekiel: 'Son of man, mark well, and behold with thine eyes, and hear with thine ears, and set thine heart upon all that I say unto thee concerning the ordinances of the house of the Lord.' If in the case of the sanctuary that could be seen and measured, concentration of eye, ear, and heart was necessary, how much more so in the case of the words of the Tora, which are as fine as mountains hanging on a hair"⁴⁾.

In the philosophic literature kawwana came to signify pure devotion. The Jewish philosophers assigned to prayer an important place in the religious life, but they laid stress on the right mood and preparation. Saadya names seven causes that vitiate prayer, and none of them is ceremonial. They are as follows: (1) If a man prays "after the decree has been fixed"; (2) if one prays without devotion (kawwana), like those of whom it is said, "A generation that hath not set its heart aright (לא נאמנה את) and whose spirit is not in accord with God (לא הבין לבו)"⁵⁾; (3) if one's heart is averse to the Tora; (4) if one is deaf to the cry of the poor; (5) if one appropriates other people's money; (6) if one prays in a state of moral impurity, and (7) if one is guilty of many sins and prays without a sense of penitence⁶⁾. Where these causes obtain, Saadya maintains, prayer is ineffectual, and the sole object of his work was to purify the hearts and to teach the people how to put kawwana into the exercise of their religious duties⁷⁾.

This object is even more patent in a work that appeared about fifty years after the Gaon's death. Bahya's *H o b o t h h a - L e b a b o t h*

¹⁾ T. B. Taanith 2a; cf. Meg. 20a, Sota 5a.

²⁾ T. B. Sab. 127a; cf. Löw, Ges. Schr., II p. 74, IV p. 267 ff.

³⁾ Cf. T. B. Erubin 95b, Pesah. 114b, Meg. 17a, R-H. 28b; Mishna R. H. III. — Löw, Ges. Schr. IV p. 277 ff.

⁴⁾ Cf. Sifre, Dt. § 335 (ed. Friedmann, p. 140 b). — The talmudic ideas on Kawwana were incorporated in the earliest Jewish prayer book, Siddur R. Atram (cf. ed. Warsaw, p. 6—7).

⁵⁾ Psalm 78²; cf. also verse 37.

⁶⁾ Cf. Emunoth We-Deoth V, 6.

⁷⁾ Ibid. closing paragraph.

may be called a book for the diffusion of kawwana. The author, who combined learning with piety and eloquence, divulges the motive of his book. It struck him as peculiar, he says, that whereas there were books on various phases of Judaism — on Torah und Talmud, exegetical and grammatical, philosophic and apologetic, commentaries and compendia — one kind of book was wanting, namely, a systematic presentation of the ethical and spiritual side of religion, of its inner sense and purpose. This was the more strange since the Scriptures and the Talmud lay such stress on the value of the latter. "Religious duties", says Bahya, summing up his citations from traditional literature, "in which organs of the body are engaged are made complete only by the desire of the heart and the craving of the soul. Their performance must proceed from the heart's desire. But if it entered one's mind that the heart need not care for the service of God, and need really have no desire for it, the obligation of performance would cease, seeing that no religious performance has any value unless it expresses an inner desire. It were vain to suppose that the Lord would place certain duties on the members of our body and overlook our heart and soul, which are the best part of our person." By numerous examples, Bahya shows that this view is held in Bible and Talmud, and that the foundation and pillars of all religious performance rest in "the inner intentions of the heart" — in the kawwanoth — and that systematic knowledge of the duties of the heart should therefore precede that of the outward performances. "If there is a blemish in the kawwana", he writes, "the performance is useless". Moreover, "the duties of the heart are endless, whereas those of the body are limited. It is of the former that the Psalmist thinks when he says, 'I have seen a limit to every perfection, but Thy commandment is exceeding broad'"¹).

For the spiritual awakening and education of his contemporaries Bahya's work was intended. Its emphasis is altogether on the superiority of inner devotion to outward performance, of the heart to the body. It is a laudation of kawwana. This is true particularly of the fine chapter on Heshbon ha-Nephesh (Account of the Soul). Bahya enumerates no less than thirty points that a man must consider for the purpose of stimulating his spiritual life. Prayer is particularly important. "Man", he maintains, "should keep account with his soul regarding the various acts of Divine service, and he should bring to them as large a measure of careful attention as to the service of his king.

¹) Psalm 119⁹⁶. — Cf. Aqedath Yizhaq, loc. cit.

Were he to receive a commission from the latter, whether it involved exertion of the body or mind, he certainly would put all his heart, intelligence, and skill into its execution. And if he undertook to thank him for his favors, in prose or in verse, in person or in writing, he certainly would strive to employ the choicest diction at his command. If there were any way of demonstrating his gratitude, by means of his outward or inward parts, he would leave nothing undone. All this a man would do for one who is, after all, a frail and short-lived mortal. Ought he not to employ similar means in the service of God, if he engages in any part of it at all? For all acts of Divine service belong to one or the other of these three classes: first, those that are solely duties of the heart; second, those that require both the heart and the body, as prayer, study of the Tora, acquisition of wisdom, pursuit of the good; and, third, those the performance of which requires the body alone, where the heart does not enter save at the start, in that it is understood that their general aim (*kawwana*) is toward God, such as the ceremonies of the booth, the fringes, the *lulabh*, the *mezuzah*, observance of Sabbath and holy days, and almsgiving, in which it does not detract from the performance if one's mind is occupied with other matters. But when the duties of the heart are involved, it is necessary to turn one's heart away from all thoughts and cares of the world and to direct it all toward God alone for the time being; as is related of a certain ascetic who in his prayer was wont to say: 'O my God, my sorrows for Thee drive from my heart every other sorrow, and my cares for Thee remove every other care from my soul!' Thus alone will the Lord accept his deeds, as the sages have said, 'The precepts require *kawwana*'. If a man is engaged in any of the duties requiring employment of both heart and body, like prayer, he should free his body from all occupations appertaining to this world or the next, and his mind from all thoughts that might separate him from the subject of prayer, and having removed every sort of physical impurity, he should set his heart upon Him whom he would address in his prayer, and upon what he seeks in it, and how he means to speak to his Maker — in a word, upon the words and contents of his prayer. Moreover, he should realize that the words of the prayer are but as a shell, while the inner sense is the kernel, the prayer is the body, and the sense is the spirit, and if a man prays with his tongue only, while his heart is busy with other matters, his prayer will be as a body without a spirit, a shell without a kernel, seeing that his body is taking part in the prayer, while the heart is missing. Such a man is like the subject who was visited by his master and who bade his wife and household

show honor to his guest and care for his comfort. He himself, however, left the house and followed his pleasures and pastimes, doing nothing for his guest. As a result, the master grew angry, declined his service and homage, and threw it all into his face. Similarly, if a man prays, and his heart and inmost thoughts are devoid of the subject of his prayer, the Lord will not receive the mere bodily performance, the motion of his lips. Our closing prayer is: 'May the utterances of my lips and the meditations of my heart find favor before Thee!' But if a man, while praying, has had his mind on worldly themes, and then winds up his prayer with 'the meditations of my heart', it is sheer shame and hypocrisy: he asserts what is not true. Therefore, the sages have said, Let a man examine his mood: if he can concentrate his heart, let him pray; if he cannot, let him not pray. This is what R. Eleazar meant, when, before dying, he left this as one of his injunctions to his disciples: When you pray, know before whom you are praying; and what Amos meant when he said, Equip thyself with devotion toward thy God, O Israel; and what the sages meant when they warned us against making prayer a mere perfunctory act; and what Jonah meant when he said, When my soul fainted within me, I remembered the Lord; and what the author of Lamentations meant in saying, Let us raise our heart with our hands unto God in heaven!"

"It is fit, my brother", adds Bahya, "that thou shouldst know that by devotion in prayer we mean nothing save the yearning of the soul for God; it is an expression of our humility before Him, of our praise and thanksgiving, and of our dependence upon Him. And since it would be hard for the soul, without help and guidance, to find the proper form of expression for all these emotions while praying, our sages have written down those prayers which the majority of the various classes of people are likely to want; so that they might approach their Maker with words fit to express their emotions. This is the object of the regular forms of prayer fixed by the sages of the past. On the one hand, the mind being liable to distraction, the average person may be unable to find fit words for his prayers; on the other, the soul naturally follows the spoken word, and is apt to be stimulated by right speech into the right direction. Withal, prayer consists of words and ideas: the words require the idea, but the idea would require no words, if it were possible to order it aright in the heart, which is the root of our intention (kawwana) and our main object"¹).

¹) *Hoboth ha-Lebaboht*, chap. on *Heshbon ha-Nephesh*. For a similar modern Christian defence of stated times and fixed forms of prayer, cf. John Henry Newman, *Parochial Sermons*, vol. I, sermons XIX and XX.

What is true of prayer, Bahya insists, is true of the other religious duties, including the ceremonies: the performance of each and every one of them should be preceded by the proper *kawwana*. "The main thing, my brother", he says, "is purity of soul and devotion of heart. Better is a little that contains the heart than much that is devoid of it. Compliance with a religious duty should be attended by joy and delight in the Lord and knowledge of Him, and by a desire for His favor and rejoicing in His Law and love for those that fear Him. Try above all to purify thy deeds, no matter how few they may be, for the little that is pure is much, and the much that is impure is little, and of no avail"¹).

The striking thing in Bahya's teaching is his denial of all value to the outward acts of religion, if devoid of *kawwana*. Lacking the proper intention and inner sense, they might as well be left undone. In this view, it has been suggested, he may have been influenced by the Sûfî mystics²). Judah ha-Levi does not go quite as far as Bahya in regard to the ceremonies, but his appraisal of *kawwana* and of the element of joy in the religious life is no less pronounced³). In the Book of the Kuzari he often dwells on the spiritual prerequisites and the inner appreciation of prayer. In the third part we find a vivid description of the place of prayer in the life of the devout man (*hasid*). The preparation for prayer lies in that mastery of one's desires and faculties which is the essence of the ethical life. The *hasid* must be like a prince: he must have full control over his realm. He must be undisputed master of all his powers, leanings, and appetites. Every organ and faculty must be trained to do his bidding for the common good of mind and body. When all these organs and faculties have received what training and indulgence properly belong to them, the *hasid* calls them together as a masterly prince summons his army, in order that by their aid he might reach that divine degree which is above the intellect. He arranges his community in the same manner as Moses ordered his people round Mount Sinai. He bids his will-power receive obediently every command issued by him, and to carry it out at once. He makes his faculties and organs do

¹) Ibid. "On the Love of God", VI.

²) Cf. J. E., vol. II, p. 454. On Bahya's relation to Mahometan writers, cf. Yahuda, *Prolegomena*, p. 7 f. For mystic thoughts similar to those of Bahya, cf. Nicholson, *The Kashf Al-Mahjûb*, the oldest Persian treatise on Sûffism (London 1911), particularly pp. 300 ff., 329, 373.

³) His aim is to harmonise *kawwana* and *ma'ase*, to correlate devotion and deed, believing as he does in the equal importance of both.

his bidding without demur, forbids them evil inclinations of mind or fancy, forbids them to listen to, or believe in, them, until he has taken counsel with his reason. He directs the organs of thought and imagination, banishing all wordly ideas, and he charges his imagination to produce, with the assistance of memory, the most splendid pictures possible, in order to resemble the divine things sought after, such as the picture of Israel at Mount Sinai, Abraham and Isaac on Mount Moriah, the Tabernacle of Moses, the Temple service, and the Presence of the Divine Glory in the Temple, and suchlike. He charges his memory to retain all these images, and restrains thought, imagination, and passion from interfering. After all this preparation, his will-power causes all his organs to serve him with zest, skill, and joy, ready to stand, kneel, or sit at the proper time. His eyes will look as does a servant at his master, the hands rest from their labor, not being folded one in the other, the legs stand straight: in a word, all the members show themselves eager to do the will of their captain no matter what the trouble or discomfort. Finally, his tongue will harmonise with his thought, and utter nothing else, and his prayer will not be a mere matter of mechanical habit, like a raven or parrot, but each word will contain thought and devotion — kawwana. Such hours of prayer the hasid will regard as the heart and fruit of his time, the rest of his time being like so many paths leading up to it. He will long for such occasions of approach to God, for then he resembles most the spiritual beings, and is farthest removed from animality. The fruit of his day and night are the three periods of prayer, and the fruit of the week is the Sabbath, because it gives him the power of attaching himself to the Divine degree, and his service is one of joy and not of bondage.

Prayer of this nature is the food of the soul. It does for the soul what meat does for the body: it sustains and strengthens it. Its periodic recurrence serves to keep the soul bright, pure, and strong, and protects it against the perils and coarsening influences of everyday toil and amusements. But, above all, Judah ha-Levi accentuates the need of joy in prayer. For, the value of Divine praise is according to the joy that goes with it, and it is a duty while praying to put aside everything that might impair the spirit of serenity and joy. By proper preparation and appreciation of the inner significance of the prayers, their real enjoyment is obtained, just as other pleasures are enhanced by suitable preparation. Kawwana doubles the delight of prayer. As a man in a drunken stupor cannot truly enjoy the pleasures offered him, so a man can derive but little joy and satisfaction from religious acts unaccompanied by spiritual

understanding. Such enjoyments are not human, but brutish. Therefore, the hasid should take to heart the idea of each prayer, and try to realize its kawwana — what it contains and implies. For instance, when he says the *יוצר המאורות*, he should think of the order of the world, of the great planets and their uses, and that none the less they are but as little worms in the eyes of their Creator, and that we consider them so great because of their usefulness. But he should reflect at the same time that God's greatness is just as manifest in the ant and the bee as in the sun and stars, if not more so, because of their delicacy. Thus, in saying the various other blessings, the hasid should try to realize their inner contents and the religious obligations that spring from them. "Whoever has completed all the prayers with perfect kawwana, is a true Israelite, and may justly hope to be joined to the Divine idea which clings to Israel more than all other peoples, and to stand before the Shekhina." It is for this reason, Ha-Levi adds, that there are not any more prayers about the hereafter in our liturgy, a deficiency some are prone to criticise. "Whoever prays for communion with the Divine Light while living, prays for something greater than the hereafter, and if he obtains that he will secure the hereafter. For whoever has fused his soul into the Divine Idea while it was yet subject to the defects and ills of the body, will surely realize that relation when his soul has become independent and free"¹).

Ha-Levi reverts time and again to the idea of joy, freedom, and kawwana as the highest qualities of the religious life. In the fifth chapter of the Kuzari, the Haber expresses his resolve to go to the Holy Land. The Kuzari questions the advisability and need of such a journey. "The Shekhina", he says, "is no longer found in the Holy Land, and proximity to God may be felt anywhere by the aid of a pure heart and strong desire. Why, then, undergo the perils of land and sea in order to go to Palestine?" But the Haber rejoins: "Only the visible Shekhina is missing in Palestine; that is vouchsafed only to a prophet, or to the common people in a specially favored place. But the invisible spiritual Shekhina is with every born Israelite and every follower of the true religion, whose deeds are clean, heart pure, and soul undefiled. The superiority of Palestine is due to the fact that it was particularly dedicated to the God of Israel, and the religious life cannot be made perfect elsewhere, as many commandments do not apply to those living outside the Holy Land. It serves as incentive to purification of heart and perfection of soul, especi-

¹) Cf. Kuzari III, 20.

ally to one come from afar; therefore, a man should try to go there, no matter what the risk and cost." When the Kuzari thereupon remarks that this simply shows that the Haber cares nothing for freedom, seeing that he is eager to increase the burden of his religious duties, the Haber replies: "What I seek is freedom from servitude to the crowd, whose favor I cannot obtain, no matter how hard I try, and which if I did secure, would be of but little use. Therefore, I seek the service of another, whose favor can be easily won and is valuable both in this world and the next, namely, the favor of God. His service is true freedom, and abasement before Him is true honor" ¹). Still the Kuzari objects. If the Haber really believes all this, he says, and is earnest in the quest of the Divine favor, the Lord knows what is in his heart, and that is all He desires: *Rahmana libba ba'i* — "the Merciful One desires the heart" ²). He knows the hidden thoughts, and takes account of and reveals the secret things. Why then should one undergo hardship and peril in order to give outward expression to what is in one's heart? Whereupon the Haber: "All this is true where it is impossible to carry one's thoughts into effect. But man stands between his desires and deeds, and is guilty of neglect if he does not try to earn the reward for the good and proper deed. As in the case of the trumpets it is said, Ye shall blow with your trumpets that they may be to you for a memorial before the Lord your God ³), though, of course, the Lord requires no reminder or arousing, save that human deeds must be perfected by doing, so a prayer must be uttered in order to render contemplation effectual. Only when deed and intent — *ma'ase* and *kawwana* — perfect each other, they bring on reward. But where deed lacks *kawwana*, or *kawwana* lacks deed, all value is lost ⁴). Only where the complete achievement lies beyond a man's power and utmost effort, the existence of *kawwana*, attended by confession of failure, will be of some use" ⁵).

¹) עבודתו הוא החירות האמתית וההשפלה לו הוא הכבוד על האומת

²) Cf. *S n h.* 106 b, where the reading is *ליבא בעי* *הקב"ה*, but the saying became popular in the form given in the text.

³) *Numbers* 10 ¹⁰.

⁴) ואם היה המעשה בלעדי כונה או כונה בלתי מעשה האבד התעלה

⁵) *Kuzari*, V, 23. Cf. *Sepher Hasidim*: כל דבר מצוה שאדם יכול לעשות יעשה וכל דבר שאין ידו משגת יחשב לעשות (Ed. Wistenetzki, p. 6). Also, the lines of Browning's Rabbi Ben Ezra:

"Thoughts hardly to be packed

Into a narrow act,

Fancies that broke through language

and escaped;

Maimonides was born about five years after the death of Ha-Levi. Though his name is associated with the systematic presentation of talmudic laws and precepts, his chief aim, as he affirms repeatedly, was to advance the spiritual and ethical life of his people. This is accentuated particularly in the remarkable fifty-first chapter of the third part of his "More". "Let it be your purpose (kawwana)", he adjures his disciple, "to multiply those periods in which you enter into union with the Creator and to decrease the periods in which you are occupied with other affairs; in this admonition is contained the entire purpose of this work". He regarded those moments as most precious when a man is alone and, free from cares and interruptions (of which, alas! he himself had many), has the opportunity of meditating on divine themes and acquiring not only love but passion for God. Knowledge of God means apprehension of Him, and that is conducive to intense love for Him. That is why he would have so much attention paid to right knowledge, rational knowledge, not the mere offspring of fancy. The fulfilment of religious precepts, such as reading of the Tora, has but one object, namely, to accustom us to occupy ourselves with divine themes and free us from the anxieties of the world. "For then we hold, as it were, undisturbed converse with God. If, however, we pray with motion of our lips and our faces to the wall, but really think of our business, or if we recite the Tora with our tongue, while our heart is occupied with the building of our house, and so forth, we are like those of whom the Prophet has said, Thou art near in their mouth, but far from their heart". Kawwana is the one thing needful. It is proper to attend to your worldly affairs and bodily wants; but what time you are engaged in religious acts do not burden your mind with aught else. Only thus can we get into the presence of the King. Indeed, absence of *kawwanuth ha-leb*, "devoutness of the heart", is one of the five things that he names elsewhere as thwarting the efficacy of prayer. A prayer without kawwana is no prayer. If a man has said his prayer without kawwana, he must say it over with kawwana. If his mind is perturbed and his heart worried, he must not pray until he has become calm. If he has just returned from a trip and is tired or in pain, he should not pray until he has regained quiet. The sages have said, Let one wait three days, if necessary, in order to recover composure, and then pray¹⁾. What is meant by Kaw-

All I could never be,
 All men ignored in me,
 This, I was worth to God, whose wheel
 the pitcher shaped."

¹⁾ Cf. T. B. Erub. 65a.

wana? It means to empty one's heart of every other care and regard oneself as standing before the Shekhina. Therefore, it is proper to compose oneself for a while before prayer, in order to prepare one's heart, and then pray in a spirit of serenity and supplication. Nor should one treat one's prayer as it were a load one has carried and thrown off and gone. It is well to tarry a while after prayer, and then depart. The saints of old used to wait an hour before, and tarry an hour after, prayer, and devote one hour to the praying. A drunken person may not say his prayers, because he is incapable of kawwana; his prayer is an abomination. Nor should one rush into prayer out of the midst of levity, frivolity, or a quarrel, or while in an angry mood, and not even while the mind is burdened with some hard talmudic subject. Religious contemplation should precede prayer. While in a place of danger, the time of prayer having arrived, a man should say but one short prayer¹), and delay the regular service until the danger is past. Similarly, a sick man, or one hungry or thirsty, should pray only if able to address his heart with proper devotion²).

A German contemporary of Maimonides, R. Judah he-Hasid, wrote the popular ethical work, *Sepher Hasidim*. It was designed, as the author tells us, for the people, more especially the unlearned. There were many great scholars in his day, who were devoting their learning to endless talmudic discussions. But on the other hand, there were many a person eager to live the religious life, if they knew what they had to do; and for their benefit he wrote his book³). While he touches on the various phases of the moral and religious life, he frequently dwells on prayer, and particularly on the place of devotion in prayer. Much of what his predecessors had said on the subject, we again find in his pages, but always in a fresh and original way, and illustrated with instances from the homely life of his time. He insists on reverence as the beginning of prayer. Composure comes next. One should not rush through prayer as if one were glad to have it over, but one should prolong every letter,

¹) The prayer proposed is so beautiful that I quote it here: צרכי עמך ישראל מרובים ודעתם קצרה יהי רצון מלפניך ה' אלהינו שחתן לכל אחד ואחד כדי פרנסתו ולכל גויה וגויה די מחסורה והשוב בעיניך עשה ברוך אתה ה' שומע תפלה "The needs of Thy people Israel are many, and their mind is anxious; may it be Thy will, O Lord our God, to grant to each one his sustenance and to every being according to its want, and do what is good in Thine eyes: blessed be Thou who hearest prayer" (Berak. 29 b).

²) *Mishne Tora*, Hilck. Tef. IV—V.

³) *Sepher Hasidim*, ed. Wistenetski, pp. 1, 27.

in order to put *kawwana* into the heart with every word uttered¹). If one is eager to put real *kawwana* into the divine service, one should pause both before and after saying every prayer, in order to set one's heart upon the Holy One²). Pure diction and a pleasant voice, also, one should cultivate in prayer. Both are important. No less is decorum. If one wishes to pray for some special need, one should not dwell on it to the exclusion or detriment of the general prayers and praises: prayer should not be made selfish, nor the spirit of devotion spoiled by absorption in one's momentary need³). The whole service should be suffused equally with *kawwana*. Pray with *kawwana*. Refrain from conversation before the hour of prayer, but engage in meditation that will fill the heart with humility. It is the foundation of prayer. If you realize that you have said part of the service without *kawwana*, return to the beginning; else, it is like putting up a building on a bad foundation⁴). Be not content with recital of the fixed prayers. After every benediction add some personal supplication; thus the heart is brought the more genuinely into the service. If you can add nothing of your own, find some pleasing melody, and say your prayers to whatever melody you like best: supplications in a melody that makes the heart weep, and praise in one that will make it sing; thus you will be filled with love and joy for Him that sees your heart. Praise Him with a large love and joy⁵). Singing both expresses and augments prayer. "There is nothing that is so certain to bring a man to love his Creator and to rejoice in that love as lifting his voice in song⁶). If one is praying and hears some singing that disturbs his devotion, let him say his prayer to that melody, and not be confused⁷). Moreover, if a God-fearing man or a woman has come to you who does not know the Hebrew language, tell him or her to learn the prayers in the language that they understand, for prayer lies only in the understanding of the heart. "Prayer

¹) Cf. *ibid.* pp. 7, 8, 131.

²) Cf. *ibid.* p. 392.

³) Cf. *ibid.* p. 129.

⁴) Cf. *ibid.* p. 386; cf. also p. 84. כל המתענה ומתפלל כשביל צרכי רצון שמים וצרכי ישראל גם צרכי יעשה והעוסק בצור ובצרכי שמים צרכי יעשו לו על ידי אחרים "Whoever afflicts himself and prays for the sake of the will of Heaven and the needs of Israel, his will also will be done, and whoever occupies himself with the needs of the community and the needs of Heaven, others will supply his wants."

⁵) *Ibid.* p. 9. וחברתו בחבה רחבה וגילה

⁶) *Ibid.* p. 9, p. 389.

⁷) *Ibid.* p. 131.

depends on the heart: if the heart is good, one's prayer will be accepted; such prayer is pure"¹). Not outward signs of devotion count, but those within. Some people are in the habit of closing their eyes while praying. That is unnecessary. Let the eyes look downward and the heart upward. During the recital of special supplications it may be well to follow the old example of covering the face, and it may be well to close the eyes in moments of particular devotion: but it is not natural for the human hear to continue in devotion if the eyes are shut for any length of time. Only for short prayers the eyes may be closed. Besides, a man praying for a long period with closed eyes may become the object of merriment and mockery; which should be avoided by all means²). What is necessary during prayer, is quiet and equipoise: where there is too much storm and heat, as Elijah learnt, God is not present, the Shekhina will be found passing by such a prayer³). In a word, "whatever a man can do for the improvement of kawwana, let him do; for everything is according to the heart of man"⁴). It is the beginning and the end of the religious life. Reverence befits prayer, and the splendor of supplication is kawwana, and the crown of benediction is love, and the diadem of wisdom is humility, and the result of humility is fear of God"⁵).

Out of such popular preaching of the spirit of kawwana, no doubt, sprang the adage: תפילה בלא כונה כגוף בלי נשמה "Prayer without kawwana is like a body without a soul", which is found in works of the 14th and 15th centuries⁶), but is probably of earlier origin and likely to have emanated from the school of R. Judah he-Hasid⁷).

Judah he-Hasid died in 1217. It was toward the end of that century that Moses de Leon published the Zohar. No matter how the question of the unity of the Sepher Hasidim be decided, whether it all came from the hand of R. Judah or no, it is certain that it contains passages that differ from the plain and direct spirituality usual in it and suggest the more complex and cryptic mysticism of the school of the Zohar. This

¹) Ibid. p. 389. התפילה בלב תלויה אם הלב טוב יקבלו ממנו תפילתו וחתפילתו וזה

²) Ibid. p. 387.

³) Ibid. p. 131.

⁴) Ibid. p. 387 f. הכל לפי לב האדם

⁵) Ibid. p. 9. נאות לתפילה מורא והדר התחינה בכוונה ועשרת הברכה. חדות וכתר החכמה ענוה ועקב ענוה יראת ה'

⁶) Cf. Arama Aqedath Yizhaq, III 13 a; Da Fano, Asara Ma'amaro-
roth, מאמר הקר דין, III, 14 (p. 62 f.); Aaron b. Elijah, Gan Eden, p. 70a.

⁷) The exact equivalent of this saying in Arabic literature has not yet been found. (Cf. Im. Löw, in Magyar-Zsidó Szemle, 1887, p. 606, and Schreiner, ibid. 1888, p. 337 ff.)

is displayed particularly in the exploitation of the idea of Kawwana. A suggestion of it we have seen in the commendation of singing as an aid to kawwana, and of the silent contemplation of the Deity before and after the benedictions. But the Sepher Hasidim goes farther. We find in it, also, the interpretation of kawwana as a meditation on the mysterious correspondence existing between the lower and the higher regions, between Man and the Deity, a favorite idea of the Zohar. The essence of this idea is that every object on earth has its correlate in heaven¹⁾, and that by the doing of religious acts man affects in one way or another the celestial dominion²⁾, and that the purpose of kawwana is, therefore, to realize by means of concentration the mystery of these correspondences, influences, and effects. According to the Sepher Hasidim, for example, the kohanim reciting the priestly benediction should close their eyes, because when the Temple existed they pronounced the ineffable Name, to which their present act corresponds. As the Shekhina rests upon their eyes, it is fit that they should close them³⁾. There is a difference between this notion and the teaching of Maimonides that while engaged in the blessing, the priests should not look at the people, but downward, in order to avoid distraction⁴⁾. Moreover, the Sepher Hasidim holds that when a man prays the Shekhina is opposite him, and though the Psalmist says, I have set the Lord always before me, he should direct his mind toward heaven, for he knows not where the sanctuary is, and should assume that the Divine Glory is opposite him within four cubits and its acme above in heaven. As when a man addresses a giant, he looks at the head of the giant and not his body, so, while praying, though the Creator is everywhere, he should raise heart and soul toward heaven. If he faces east, he should imagine the Shekhina before him, facing west, and similarly if he stands before the ark, or if the Torah is held up; and he should address his mind accordingly⁵⁾.

We have here the beginning of what the idea of kawwana came to signify in the Zohar and the later mystics of the school of Lurya⁶⁾. With them it means not mere devotion, in the ethical and spiritual sense; but rather appreciation of the mystic value of religious acts, and parti-

¹⁾ Cf. *Tanhuma*, Pequde. היכל של מטה מכוון לנגד היכל של מעלה.

²⁾ דהא לית קדושה לעילא אלא אי אית קדושה לתתא כד"א והתקדשתי בחוך בני ישראל (Zohar II, 133 a).

³⁾ Sepher Hasidim, p. 388.

⁴⁾ Cf. Mishne Tora, Hil. Tefil. XIV, 7.

⁵⁾ Cf. Sepher Hasid, p. 387.

⁶⁾ Cf. Bloch, *Die Kabbalah auf ihrem Höhepunkt*, p. 42.

cularly of prayer, ecstatic contemplation of the cosmic mysteries, absorption in the occult significance of every religious duty and practice, and more especially concentration on the mystic value of the Divine Names. One of the cardinal commandments, according to the Zohar, is to realize that there is a God, who is almighty and lord of the universe, and to proclaim His name every day in the six directions, and to unify it by reciting the six words of the Sh'ma. Moreover, in pronouncing the Sh'ma, one must make manifest one's resolve (kawwana) to accomplish the will of heaven. In reciting the Sh'ma, one should stress especially the *eh ad*, by dwelling on it as long as it would ordinarily take to pronounce the six words, and thus testify to the unity of the six points of heaven.

Nor is this all. The hidden meaning of the Sh'ma, as well as of all prayers said with perfect concentration, is expounded elsewhere in the Zohar. It is the means of nothing less than the bringing about in heaven of the union of the Master and the Matrona, and unifying the cosmos at the same time. When the Sh'ma is recited by man with a perfect will, a light issues from the hidden places of the celestial regions and causes the primordial light to divide into seventy separate lights, which descend upon the seventy branches of the Tree of Life and cause them to give forth sweet perfumes, which prepare the Matrona for entrance into the presence of the Master. This is the great moment of union for all the legions of heaven, and here below the Unity is likewise proclaimed. Immediately after that, the "Blessed be the Name of the Glory of His Kingdom" is pronounced in a low voice, to correspond to the soft voice of the Matrona at this blissful moment, and also in order to keep away from the celestial couple all hostile spirits: "No stranger shall meddle with His joy" (Proverbs XIV, 10). But in days to come, when evil spirits shall be no more, the proclamation of the mystery of the Union shall be made before the Ancient of Days by everybody without the least fear. These moments of joyous union above, are the most propitious times for human supplication. Thus, even now man is in the happy position by his acts and prayers to bring about temporarily the union of the Master and the Matrona. But in days to come, it will be permanent¹).

¹) Zohar II, 133 b ff., 200 b. — Cf. Sepher Ha-Bahir: אמאי אקרי כבשעה קרבן? אלא מפני שמקרב הכחות הקדושות (ed. Wilna 1833, p. 22) שאלם לומר תורה לשמה התורה שלמעלה מתחברת להקב"ה (ibid. p. 38). כל זמן שישראל עושין רצונו של מקום, הוא ארוסתו של הקב"ה מוסיפין כח בגבורה של מעלה וכל זמן שאין עושים רצונו של מקום מתישיו כח גבורה של גבורה (Midr. Ekha, I.) The mystic idea of "correspondences" in Judaism goes back to talmudic literature; a complete presentation of it would be interesting.

In order, however, that a prayer might reach heaven and pass unscathed the celestial portals, it must be formulated in accordance with circumstances. Thus only will it succeed in conciliating the Master and produce the perfect unification. Such power belongs only to those possessing the secrets of the kawwanoth. That is where the power of Moses lay: he knew how to fashion his prayers according to the needs of the case; at times they were long and again they were short. The same was true of Abraham, who understood the mystery of prayer, who had been shown the inner secrets of the mansions of the Supernal King. There are seven such holy mansions, and they are provided with gates through which are allowed to enter the prayers of those who know how to conciliate the Master, and to effect His unity in perfection, who know how to fasten the universal bonds, how to bring about union of spirit with spirit, of the spirit of the world above with the spirit of the world below, and of them the Scripture says: O Lord, they have sought Thee in time of distress, and through affliction they have learnt to pray to Thee in humility *למוסר לך* (Isaiah XXVI, 16). Happy the righteous who know how to conciliate the Master, and how to nullify evil decrees, and cause the Shekhina to dwell in the world, who know how to order the praises of the Master aright and to express their prayers properly¹).

In a similar sense the idea of kawwana was extended by the Zohar and its disciples to the entire religious life. Kawwana came to mean appreciation of the esoteric significance of religious acts; and religion was turned into a quest for these kawwanoth, an absorption in such mystic Intentions. Everything had its kawwana: benedictions, study, holy seasons and fasts; indeed, every incident of life. Take, for instance, study of the Tora and prayer at night. The rabbis from of yore had commended such nocturnal piety, at first no doubt as a mere matter of special ardor²). But, according to the Zohar, at the midnight hour, when the north wind blows, the Holy One blessed be He comes to amuse Himself with the righteous in Paradise, and both He and the righteous in the Garden listen attentively to the words falling from the lips of the students of the Law. At such an hour, when the Holy One and the

¹) Cf. Zohar I 41 a, 169 a. — Cf. Menahem Azaryah Da Fano's division of prayer into three classes, according as they spring from *nephesh*, *ruah*, or *neshama* (*Asara Ma'amaroth* *כל הי מאמר* *אם*, I 29—31). Regarding the latter cf. Zohar I 62 a. — Cf. also Meir Ibn Gabbai, *Tola'ath Ya'aqob*, *Haqdamah*.

²) Cf. *Sepher Hasidim* p. 235, note 4.

saints are eager to hear the Law, how could any one lie lazily in bed ¹⁾? Consider the difference between this explanation and the one offered by Bahya. In him, too, we find mystic coloring; but it is a different sort of mysticism. His is spiritual mysticism, that of the Zohar is fantastic; his is concerned mainly with the effect of religious practices upon man, the Zohar has its eye mainly upon the supernal regions, and the effect upon them of man's conduct. "Prayer at night", says Bahya, "is purer than prayer during the day for several reasons. First, man at night has more leisure than in the daytime; then, his appetite for food and drink is lighter; again, he is not interrupted by visits, conversation, creditors; nor is he subject to as many temptations of the senses, as he does not see nor hear as much; likewise, he is farther away from hypocrisy, as it is much easier to be alone at night. And, in fine, it is easier to attach oneself to the thought of God, and be alone with it, at a time when every lover unites with his beloved, withdrawing into solitude with the object of his affection" ²⁾. This is how Bahya supports the plea for nightly devotions, adding that it is a practice mentioned repeatedly in the Bible ³⁾. There is no suggestion in it of what it came to mean to the mystics of the Zohar ⁴⁾.

The kabbalistic construction of kawwana, however, marked the decadence of the idea. That it involved considerable play of the imagination, none will deny. There is much fantasy in it, and some poetry. The erotic element in it is striking, grotesque, and quite often repellent. One wonders to what extent the latter mirrors the sexual morality of those times. The subject of sex certainly is common in medieval Jewish literature. The fanciful features of the Zohar, however, are likely to have made for its popularity. During the periods of gloom and persecution, it is not hard to see what solace the people must have found in the fantastic flights of the mystic kawwanoth. Not in vain had the

¹⁾ Cf. Zohar I 72 a.

²⁾ *Hoboth ha-Lebaboṭh*, "Love of God", VI. Cf. *Kashf Al-Mahjûb*, p. 381: "Night is the time when lovers are alone with each other, and day is the time when servants wait upon their masters". Secret prayers by night are called *muṣámarat*, while invocations made by day are called *muḥādathat*.

³⁾ Isaiah 26⁹, Canticles 3¹, Psalms 119^{55, 62, 147, 149}, 88², Lamentations 2¹⁹.

⁴⁾ Cf. Zohar III 12 b f.; Isaiah Horwitz, *Sh'ne Luhoth ha-Brith*, p. 123 ff., *Sha'ar ha-Shamayim*, p. 5 b. — In the passage of the Zohar note particularly the reference to the Hind (Dawn) which arises to praise the Lord in the midnight hour when man begins to study the Law: *ההוא אֲנִילָתָא קיימא* *ההוא אֲנִילָתָא קיימא* (13 a).

Zohar taught that "whoever knows how to unify the Holy Name, though there be no blessings found in the world, yet sustains and supports the Community of Israel in exile"¹). Israel in those days of darkness was "sick with love"²), and the kawwanoth were the wine of consolation and the apples of sustenance. But as far as the idea of the kawwana was concerned it had lost its purity. Every religious act came to signify some special mystic and metaphysical object, which it was the duty of man to fulfil, no matter how little he understood it. Absorption in the kawwanoth was represented as possessing twofold virtue: illumination of the soul and effect on the celestial order³). But the celestial effect became the chief consideration, and the kawwana was turned into a grotesque play with letters, words, and ideas. It assumed magic significance. Even the best of the kabbalists were not free from this fault. Isaiah Horwitz, for example, was one in whom the ethical element predominated. Yet, commending the reading of the Zohar before dawn, he says: "The man of merit will study the Zohar at dawn, for by virtue thereof Israel will be delivered from exile which is likened to the night, and even if he cannot understand it, he should learn the language, which purifies the soul. For every word that he does not understand, it is well that he should confess and weep and give something to charity, and he will see clearly that his eyes will be illumined"⁴).

Similarly, all religious performances, and especially prayers, came to comprise supernal objects and metaphysical mysteries, occult kawwanoth, and one was supposed to refer to kawwana, or recite it, whether or no one understood it, or whether or no, indeed, it had any meaning at all⁵). An endless number of kawwanoth were composed and put into

¹ מאן דידע ליחרא שמה קרישא אע"ג דברכן לא משתכחי בעלמא¹
(Zohar III 40 a). איהו סמך וסעיד לה לכ"י בגלותא.

² Ibid.

³ Cf. Midrash Talpioth S. V. כוונה; Isaac Lurya, ספר הכוונות, opening paragraphs; Jacob Emden, Siddur Beth Ya'aqob, p. 6. — It is the effect on the human soul that was emphasised by the founders of modern Hasidism. (Cf. Teitelbaum, הרב מלארי, p. 4 ff. Buber, Kawwana: Die Welt-erlösung im Chasidismus in Die Welt, Festnummer, June 7, 1907.)

⁴ Siddur Sha'ar ha-Shamayim, 6a. Cf., however, Yesh Nohelin, by Abraham Horwitz, Isaiah's father, the section concerning Prayer, in which the purely ethical conception of kawwana is maintained.

⁵ Cf. Midrash Talpioth, p. 261 a.: כליליה קורם שהעסוק בתורה תבין: לכל הכוונות ואח"כ בכל שעה ובכל רגע תבין כם ג"כ וכפי מה שחרכה — Cf. Löw, Graphische Requisiten, II p. 21 ff.

the prayer-books¹⁾. As for the special prayer-books of the kabbalists, the kawwanoth became so numerous as to outweigh the prayers and obscure their simple meaning, while many of them found their way also into the general prayer-book, where some have remained to this day²⁾.

Thus, the kawwana which began as a means of quickening the religious life and increasing its inwardness, had itself deteriorated into a perfunctory and insensate performance³⁾. Indeed, it formed a hindrance to true devotion, so that those interested in the maintenance of the devotional temper, now were constrained to fight against the new species of kawwana, or rather against the superstitions and follies with which the word had been impregnated by the kabbalists. Rabbis who themselves revered the Zohar and inclined to mysticism, none the less protested against the ignorance and imposture that paraded under the mantle of mysticism, and pleaded for greater respect for learning and reason in the conduct of the religious life, for simplicity and purity in prayer, and for realization that not by means of the kawwanoth, but by our deeds is improvement wrought above⁴⁾.

No matter, however, how many voices made themselves heard against this abuse, it persisted during the eighteenth century. Kabbalistic aberration usurped the place of true devotion. The Mendelssohnian era brought some improvement. When the Heidenheim prayer-book appeared in 1800, it marked an attempt to restore the liturgy to the old-time purity and simplicity. But it went only half-way⁵⁾. Menasseh ben Joseph Benporat, in 1822, complains of the condition of devotion among the people. "What is needed above all in prayer", he says, "is true kawwana, devotion. In our time people imagine that mere reciting is enough. Everybody thinks he has a right to add what he pleases, and prayer is regarded as a sort of charm. People rely on the kabbalistic fiction that angels wind crowns out of the implicates of prayers and benedictions, and remain indifferent to the real object of prayer"⁶⁾.

¹⁾ Cf. Zunz, *Die Ritus*, p. 149f.

²⁾ Cf. Berliner, *Randbemerkungen zum täglichen Gebet-buche*, p. 9, 30.

³⁾ Cf. for similar deterioration in case of 'Iyyun Tefillah in Talmud, Sab. 127a, 118b, Ber. 55a, 32b, B. Bathra 164b, R-Hash. 16b; Löw, *Ges. Schr.* II p. 74.

⁴⁾ Cf. Pahad Yizhaq, s. v. לְמוֹד (fol. 19a); Ezekiel Landau, *Noda B-Yehuda*, vol. I, Yore Deah, Resp. 93; Fleckeles, *Melekheth Ha-Qodesh*, p. 25c. — Löw, *Graph. Req.* II p. 29.

⁵⁾ Cf. Berliner, *op. cit.* p. 38.

⁶⁾ Quoted by Berliner, *op. cit.* p. 36.

But the writer, who lived in a small town in Russia, was suspected both of sympathy with Hasidism and Reform tendencies¹). In this particular respect he certainly shared an ideal common to the leaders of Reform Judaism. One of their chief objects was to rescue the religious life, and especially the worship, of the Jew from perfunctoriness and aberration, and to reintroduce the true idea of *kawwana* as a means of increasing genuine devotion and inwardness. And insofar as they stood for renewal of devotion in the Synagogue, there was a close relation between Hasidism and Reform²).

But the problem of devotion in the nineteenth century had become much graver and more complex than ever before. It was part of the general problem of Jewish life and belief. It was no longer a mere question of devotional recital of the old prayers, but rather as to what prayers should be said at all. Many of the old prayers could no longer be recited devoutly, if devotion meant sincerity and earnestness, because their content had ceased to express the ideas, beliefs, and hopes of the people. The inner correspondence was gone. As a first prerequisite to devotion, therefore, it became necessary to bring the fixed prayers into harmony with the ideas and convictions of those for whom they were designed. "The present age", wrote Geiger, "is not content any more with a few formal external revisions; it wants to obtain a clear view of the basic ideas, and only by compliance with this requirement can its interest be gained"³).

The first efforts of Reform Judaism, thus, aimed at purification of public worship and improvement of devotion. "Nowhere do we find more sublime teachings and utterances about prayer in general and public worship in particular, than in Bible and Talmud and the later commentaries. But nowhere during the last two hundred years has practice fallen so lamentably behind theory as in Israel. In vain did the most pious rabbis raise their voice against the neglect of the sacred and godly; the evil kept on growing. Ignoring ever more the real aim of public worship, namely, edification and instruction, people were satisfied with mere multiplication of prayers which by no means were worthy the name. To the simple prayers of the original liturgy, there were added a mass of so-called poems, *piyyutim*, written in a barbarous

¹) Cf. article in Eisenstadt, *Ozar Yisrael*, vol. VI, p. 250. Berliner (*loc. cit.*) names him Joseph; it should be Menasseh b. Joseph.

²) Cf. Löw, *Gesam. Schr.*, II p. 75, IV p. 297.

³) "Über Glauben und Beten", in *Jüd. Z.* VII; cf. "Die Aufgabe der Gegenwart", *Wiss. Z.* V, p. 8 ff.

idiom, most of which the people did not understand, and as they occupied the greater part of the time set aside for worship, the result was decay of devotion and decorum in the synagogue". It was the introduction of devotion that formed the prime object of Israel Jacobson, of the men that founded the Hamburg Temple, and all the other early Reform leaders of the nineteenth century. The principle animating them was: "A little with kawwana is worth more than much without kawwana"¹⁾. "Return to the religious spirit of your fathers", pleaded Holdheim, "to whom worship of God, prayer, was a matter of sincere faith, expressing their inner life and belief. It is not your belief that one would judge; it were a bold and presumptuous thing to sit in judgment on the belief of another; judgment belongs to God. But inner truth, harmony between belief and the solemn expression thereof in prayer, may and must be demanded of every one"²⁾. In order to this, the early leaders of Reform in Judaism sought to do the following things: first, to simplify the prayer-book; secondly, to eliminate all prayers not in accord with the convictions and ideals of the people; and thirdly, to adopt the vernacular as medium of public worship³⁾. They fought for decorum, for devotion, and, above all, for sincerity in prayer. And this still is one of the chief objects of Reform wherever it appears⁴⁾. By this means it seeks not only to restore kawwana to the Synagogue, but also to revive the true meaning of the word and idea of Kawwana and to preserve the inner beauty and power of Judaism.

¹⁾ Salomon, *Gesch. d. Neuen Israel. Tempels*, chap. I.

²⁾ Cf. "Sie hörten nicht auf Moses", Sermon, 1846; also *Votum über das Hamb. Gebetbuch*, 1841, p. 17 f.

³⁾ Cf. Holdheim, *Gesch. d. jüd. Reformgem.*, p. 32 ff.; Ritter, *D. Jüd. Reformgem.*, p. 65 ff.; Steinthal, *loc. cit.*

⁴⁾ Cf. Philipson, *The Reform Movement in Judaism*, p. 529; *Denkschrift z. Begr. d. badisch. Gebetbuchentwurfs*, p. 20 ff.

The Exodus in the Bible.

By

Prof. Henry Englander, Ph. D., Cincinnati.

The word Exodus in this article has reference to the period extending from the going forth from Egypt to the conquest of Canaan.

We are not concerned with the question of the historicity of the Exodus as proved or disproved by existing documents. We are interested, rather, in the Exodus as a period of history, which, living and looming large in the conviction and imagination of Israel, exercised a most profound influence in its religious and social development. It matters not that the account of the Exodus according to the analysis of the critics, is composed of three distinct strands interwoven with some confusion, repetition or contradiction of details, or, with differences in viewpoint, for, however much or little of the Exodus account critical scholarship may accept as historical, to those who made repeated references to the Exodus, it was unquestionably historical. Even when granting for argument sake the most radical views of the critics, the Exodus, when judged by the influence which the memory of it exercised in biblical and rabbinic times, stands forth as one of the supreme facts and periods in our history.

The Exodus was considered as the beginning of the national life of Israel, or, at least, as the first step towards it. Though we find but one late passage (1 Ki. 6 : 1) specifically dating an event from the Exodus, yet, it was generally regarded as being virtually the real beginning of Israel as a people, particularly as God's people (Am. 2 : 10; 3 : 1; Hos. 2 : 15; 9 : 3; 11 : 1; 12 : 9; 13 : 4; Mic. 6 : 4 et al.). A few times we find the Exodus referred to as the time "since which" nothing like unto that of which the writer speaks has occurred, implying, that for him the Exodus was the real starting point of Israel's career (Jud. 19 : 30; II Sam. 7 : 5, 6; I Ki. 8 : 16; II Ki. 21 : 15; Jer. 7 : 25; I Ch. 17 : 5; II Ch. 6 : 15).

The contents of Genesis serve as an introduction to the history of Israel as a people. The Exodus as the threshold of that history is rep-

resented as having brought into being all the principles and regulations that were to govern the subsequent life and religion of Israel. The great body of ceremonial, ecclesiastical, and social laws, many of which developed only centuries after the Exodus, the high ethical precepts and concepts which were the crystalized products of prophetic activity, are put forth as divine injunctions given to Israel through Moses in the all-important Exodus period. As each successive century gradually developed new viewpoints social or religious, new laws or new institutions, the same, in time, came to be regarded as having had their origin in the period under discussion. The deducing of the "Oral" from the "Written" Law but emphasizes strongly the tendency just mentioned, namely, to regard the Sinaitic revelation as the source of all future legislation.

The redemption from Egypt was but the prelude to that revelation which brought Israel into special and peculiar relationship with his Redeemer. Israel by the act of divine redemption became the possession and inheritance of God above all the peoples of the earth (Dt. 4 : 20, 37; 7 : 6 f.; 9 : 26; 14 : 12; I Ki. 8 : 51; Pss. 68 : 9; 33 : 12; 135 : 4; Ez. 20 : 5). We cannot here discuss in detail the character of the "Sinai-Horeb" covenant, suffice it to say, that the tradition with regard to this consecrating covenant ultimately spelled out for Israel its high and holy mission as expressed in the key-note words, "Ye shall be unto me a kingdom of priests and a holy nation" (Ex. 19 : 6; Dt. 14 : 2, 21; 21 : 19; 28 : 9; for P passages giving reason for redemption cf. Ex. 6 : 7; 29 : 45; Lev. 20 : 24; 25 : 38; 26 : 12, 45; Nu. 15 : 14). The conception as to the nature and significance of this covenant varied according to the prevailing religious viewpoint of the age that used the "Exodus" covenant as a sanction for its own distinctive religious laws and usages. The prophetic mind saw in it a relationship that obligated Israel to the performance of the moral and social truths of religion (Note particularly the character of the Deuteronomic references to the Exodus). To the priestly mind the same covenant spoke of the divine character of that ritualism and ecclesiasticism characteristic of the times when priestly ideals were dominant (II Ch. 8 : 12).

Although it is maintained that the conception of a divine covenant does not come to the fore until the time of the Deuteronomic school of thought, yet, the idea of a special relationship between Israel and his God must have been born coincidently with the realization that God in His goodness (Am. 2 : 9 ff.) and love (Hos. 11 : 1) redeemed Israel from the hands of the oppressor. God is thought of as having led Israel lovingly out of

Egypt to be His. He, thus, became Israel's God in a special sense from the time that He wrought His great redemption (Hos. 12 : 9).

And with the birth and growth of the thought that God chose Israel from amongst all nations and vouchsafed to him a special revelation, we can readily understand how added sanctity and significance must have come to all those institutions, observances and commands that were regarded as being explicitly or implicitly a part of the legislative program put forth by the great law-giver during the Exodus period. Thus, whatever may have been the origin or age of the institution of animal sacrifice, the sacrificial cult with its minute regulations many of which were probably evolved long after the Exodus period, of necessity, came to have a deeper meaning, a holier and higher influence when, in the course of time, tradition traced it back to the Mosaic "Torah" (Moses is referred to in the late books of the Bible principally as the divinely appointed giver of all those statutes and ordinances peculiar to the late Biblical period. cf. Mal. 4 : 4; Neh. 9 : 14; I Ch. 22 : 13; II Ch. 8 : 12; 23 : 18; 24 : 6; 25 : 5; 33 : 8. In Ps. 99 : 6 Moses and Aaron are called "priests of the Lord". The earlier prophetic books make but few references to Moses, and these as leader rather than as law-giver cf. Hos. 12 : 13; I S. 12 : 6, 8; Mic. 6 : 4, 5).

The so-called three Pilgrim feasts are generally conceded to have been pre-Exodus agricultural feasts (or possibly pastoral in the case of the Passover, J. E. vol IX pp. 553 f.; Hastings D. B. vol. I p. 860). In time, a historical significance came to be attached to them. Of the three, the Passover stands out most distinctly and uniquely as a memorial of the Exodus (Ex. 12 : 4) marking the anniversary of Israel's birth as a people. Whatever may have been the original significance of the sacrificial lamb in the early pastoral feast of the Passover, or of the Mazzot cakes in the pre-Exodus agricultural Mazzot feast, the fact remains that, in time, the Passover-Mazzot feast, celebrated when the sickle was first put to the corn (Dt. 16 : 9) came to be strongly reminiscent of the great deliverance. Though the commemorative aspect of this feast is not mentioned specifically in the historical books, it is significant that the Passover alone comes into prominence in the religious reforms inaugurated by Hezekiah (II Ch. 30), by Josiah (II Ki. 23 : 21—23; II Ch. 35 : 1—19) and by Ezra (Ez. 6 : 19 : 22). Even as the redemption from Egypt was the first great event that consecrated Israel unto God as His people, even so, the renewed celebration of the Passover, the memorial of that redemption, seemed to attest to a return and revived loyalty to God on the part of Israel.

Of the other two Pilgrim feasts, only the feast of Booths ("agriculturally" observed as the "Feast of Ingathering" (cf. Ex. 23 : 16; 34 : 22; Lev. 23 : 34—36; Dt. 16 : 13—17) came to be a memorial of the Exodus period, in that the act of dwelling in booths was to be an everlasting reminder of the character of Israel's habitations during the sojourn in the wilderness (Lev. 23 : 42, 43). As in the case of the Passover the historical significance of this feast is not alluded to in the prophetic and historical books (cf. I Ki. 8 : 2; 12 : 32; Ez. 3 : 4; Zech. 14 : 17; Neh. 8 : 14—18; II Ch. 5 : 3; 7 : 8 f.).

The feast of Weeks bears no commemorative significance in Biblical literature. It remained a nature feast (Ex. 23 : 16; 34 : 22; Lev. 23 : 15—17; Nu. 28 : 26; Dt. 19 : 9—12). In post-Biblical times, however, it received the distinction of being regarded as the memorial of the giving of the Law at Sinai. Indeed, the historical connection of the three feasts just considered, seems to have been most emphasized in rabbinic literature. The influence of the Exodus period was thus made vital in all the centuries of our history.

The ceremony of consecrating to God the first born male of man and beast is one other institution specifically mentioned as being a memorial of some event during the period under discussion — the slaying of the first born of the Egyptians (Ex. 13 : 11—16; Nu. 3 : 13; 8 : 17). Here again, as in the case of the Paschal lamb and the Mazzot a very old pre-Exodus custom was given a new interpretation and significance by its being linked with the Exodus period (J. E. vol. IX p. 554 a).

Thus far we have considered the Exodus period as a source and sanction of Israel's laws and institutions. Of equal importance was this period as a spiritual, social and ethical force in the life of Israel through the conceptions of God which it fostered and of the moral obligations of Israel to that God. The story of Israel's deliverance hymns in reality the superiority and supremacy of Israel's God above all other gods and justifies the rhetorical question of the poet: "Who is like unto Thee, O God?" (Ex. 15 : 11; Ps. 78 : 13).

The redemption from Egyptian bondage is frequently called to mind as a witness to the greatness, goodness and glory of God. The thought of these attributes generally inspired an expressed or implied prayer of praise or of supplication (II Sam. 7 : 23, 24; Is. 49 : 20 f.; 63 : 7—14; Mic. 6 : 4, 5; Hab. 3 : 2—5; Dan. 9 : 15; Neh. 1 : 2—5). Every Psalm in which the Exodus is referred to (for a complete enumeration see appended list) may be characterized as (a) Psalms of Praise or of Thanksgiving to the mighty and merciful God. The Exodus telling

of His wondrous works affords a most fitting text for the praise rendered (Pss. 66, 68, 78, 81, 95, 99, 103, 105, 106, 111, 114, 118, 133, 135). (b) Psalms of Supplication. In these the hope that the prayer for help would be answered is based on the thought and knowledge of His goodness to Israel in the ancient days (Pss. 77, 80, 86). Significant is the fact that most of these references to God's goodness and mercy as exemplified by His deeds during the Exodus period are found in the liturgical or poetical compositions of the post-exilic period (cf. also Neh. 9 : 9 f.; Is. 63 : 7—14). It seems that the expatriation during the Exile and the troublous times after the Exile prompted retrospection to the former days when God signally manifested His presence by those acts that accompanied and followed the great deliverance from the oppressive hand of Egypt.

Even as the enforced absence from the fatherland quickened the historic sense to dwell upon and to write the history of Israel before the Exile, even so, it seems that Israel's mind was prompted to revert to the "good old days" when God's providence was unmistakable. Such contemplation of the past inspired hope for the future and likewise fostered an abiding faith in Israel's Keeper.

God's kindness to Israel in the past, as revealed in the Exodus narratives, was invoked not merely to give emphasis to a prayer of praise or of supplication, but also to set forth by contrast Israel's present lack of loyalty to his Redeemer. Such contrasting of God's goodness with Israel's ungratefulness was generally coupled with a rebuke or threat or statement of reasons for the punishments visited upon Israel (Jud. 2 : 1 f.; 10 : 11; I Sam. 10 : 19 f.; 12 : 6 f.; I Ki. 9 : 9; II Ki. 17 : 7 f., 34—40; 21 : 15; Jer. 2 : 6; 7 : 25; 11 : 3—5, 7, 8; 15 : 1; Ez. 20 : 5 f.; Hos. 11 : 1; 12 : 9, 13; Am. 2 : 10, 4 : 10 f.; II Ch. 7 : 22). The character of God as revealed in the Exodus was furthermore recalled to give emphasis to the certainty of a promise or prophecy of good or of evil, especially of the former (II Ki. 21 : 8; Is. 11 : 15 f.; Jer. 16 : 14; 23 : 7; 31 : 3 f., 31, 32; 32 : 18—21; Hos. 2 : 15; Mic. 7 : 15; Hag. 2 : 5; Zech. 14 : 20; Mal. 4 : 4), or, to bring home some teaching or prophetic insistence (I Sam. 15 : 2; II Sam. 7 : 6; I Ki. 8 : 16, 21; II Ki. 17 : 34—40; 23 : 21, 22; Jer. 7 : 22; 34 : 13—15; Am. 3 : 1 f.; 5 : 25; 9 : 7; I Ch. 17 : 5).

Deuteronomy in particular makes grateful and loving reference to God's great act of deliverance in order to remind Israel of his debt and duty to God and man. It is the Deuteronomic school, indeed, which harks back most frequently to Israel's residence in Egypt to enforce

a number of humanitarian precepts. Kindness, and justice for the stranger, sojourner, widow, orphan and slave are strongly urged by calling to mind the days of bondage in Egypt (Dt. 10 : 19; 15 : 12 f.; 16 : 11 f.; 24 : 17 f.; Ex. 22 : 21). The Sabbath rest is enjoined for all in the Deuteronomic version of the Decalog (Dt. 5 : 15) as a memorial of the Egyptian slavery. That emancipation which made Israel a free people was, furthermore, made the ground of the prohibition against holding a brother Hebrew in permanent bondage (Lev. 25 : 39 f.). The oft-repeated refrain, "Remember that ye were slaves in Egypt" practically calls for self-identification on the part of each generation with those who suffered in actual slavery (cf. Pesachim 116 b).

The classic example of an effort made to win Israel back to his God by recalling to him his former plight in Egypt is Hosea's tender and heart-moving appeal in which God is represented as saying, "When Israel was a child, I loved him and called my son out of Egypt" (11 : 1). To this prophet, the Exodus eloquently spoke of God's encompassing and surpassing love for Israel, a love like unto that of a father for his son, nay, of a love like unto that of a faithful husband for his wife. To him the Exodus was the prelude to the marriage of God and Israel (Hos. 2 : 14—16; cp. Jer. 2 : 2).

The great deliverance from Egyptian bondage so eloquently bespeaking God's goodness and mercy to Israel was tellingly used by the prophets to inspire the people with the optimistic hopes which they entertained as to the future when conditions were dark and discouraging. That deliverance inspired the hope that, even as God had hearkened to the cry of those oppressed by Egyptian taskmasters, even so He would hearken again to the cry of Israel oppressed by political danger or bondage. Thus, Isaiah, when seeking to allay the fear of the people aroused by the advancing Assyrians, encourages them with words strongly reminiscent of the Exodus (10 : 24—26). And, another writer, when describing the destined return scattered of Israel, lends impressiveness and vividness to his description of the manner in which the return shall be accomplished, when he frames his prophecy of a reunion in the fatherland in the following language: "And God will utterly destroy the tongue of the Egyptian sea..... and cause men to march over dryshod. And there shall be a highway for the remnant of His people that shall remain from Assyria; like as there was for Israel in the day that he came out of the land of Egypt" (Is. 11 : 15—16).

With this prophecy may be compared that other one, in which, the return from Babylonian exile, is portrayed as a second redemption, the

greatness of which, shall eclipse the former in the memory of man. The Exodus narrative clearly inspired the following description: "Thus saith God, who maketh a way in the sea, and a path in the mighty waters, who bringeth forth the chariot and the horse, the army and the mighty man. They lie down together, they shall not rise; they are extinct, they are quenched as a wick. Remember ye not the former things, neither consider the things of old. Behold, I will do a new thing; now shall it spring forth; shall ye not know it? I will make a way in the wilderness and rivers in the desert (Is. 43 : 16—19).

Jeremiah, wishing to convey to his hearers, the breadth and depth of the redeeming might of God that was to manifest itself towards those dispersed in strange lands, cannot do so better than by proclaiming the coming of the day when an oath will no longer be made in the name of God who redeemed Israel from Egyptian bondage, but, rather in the name of Him "who brought up the children of Israel from the land of the north and from all the countries whither he had driven them" (16 : 14, 15; 23 : 7, 8). And the restoration as predicted by Ezekiel (20 : 33 f.) is interesting in this connection, because the description of it, was likewise influenced by the Exodus narratives. God is to deliver the people with a "strong hand" (cf. Ex. 13 : 3, 9, 14, 16; Dt. 5 : 15, 9 : 26 et al.). As in the first Exodus, God is to bring Israel into the wilderness, there to plead with him face to face, and, after causing Israel to pass under the rods (as of old in the wilderness), He will bring him into "the bond of the covenant".

In view, then, of the influence of the Exodus as exhibited in Biblical literature alone, the statement, made at the beginning of this paper may fairly be reaffirmed, namely, that this period of history exercised a most profound influence in the religious and social development of Israel. Consciously or unconsciously, it helped to mould the thought, life and legislation of the "People of the Book". As a sanction for the new laws and institutions developing from age to age, as a source of hope and encouragement in times of oppression, as a memory invoked to inspire an unfaltering trust in the beneficent workings of a divine Providence, and as a powerful plea to remember and fulfill our social obligations to those less fortunate than ourselves, the Exodus, as a period of history that projected its influence far into the future, stands unique in the annals of Israel.

A.

List of passages in the Exodus narratives, which, by reference to the Exodus enforce ethical precepts, religious concepts or institutions:

Ex.	6 : 1, 7; 10 : 1, 2; 12 : 17, 27, 42; 13 : 7—10, 12—15; 17 : 23, 25—27, 32; 19 : 5; 20 : 2; 22 : 21; 23 : 9, 15; 29 : 45; 31 : 12—17; 34 : 18.	Nu.	15 : 41; 23 : 22; 24 : 8.
Lev.	11 : 45; 19 : 33, 36; 20 : 24, 26; 22 : 31—33; 23 : 42, 43; 25 : 38, 42, 54; 26 : 13, 45.	Dt.	4 : 20, 34—37, 39; 5 : 2, 6, 15; 6 : 12, 20—25; 7 : 6—10; 8 : 14; 9 : 26, 29; 10 : 19; 13 : 5, 10; 14 : 2; 15 : 5; 16 : 1, 3, 6, 12; 20 : 1; 24 : 17, 18, 22; 25 : 17—19; 26 : 5—8; 29 : 2—6; 32 : 7; 33 : 2—5.
Nu.	3 : 13; 8 : 17;		

B.

List of passages outside of the Exodus narratives, which, directly or indirectly, have reference to the phraseology or history of these narratives.

Josh.	2 : 9, 10; 5 : 4, 9; 9 : 9; 24 : 5—7.	II. Sam.	7 : 6, 23, 24.
Jud.	2 : 1, 12; 5 : 4, 5; 6 : 8—10; 10 : 11; 19 : 30.	I. Ki.	8 : 9, 16, 21, 51, 53; 9 : 9; 12 : 28;
I. Sam.	2 : 27, 28; 4 : 8; 6 : 6; 10 : 18; 12 : 6—8; 15 : 2;	II. Ki.	17 : 7, 8, 14, 15, 34—40; 21 : 8, 15; 23 : 21, 22.
		Is.	4 : 5; 9 : 4; 10 : 24, 26; 11 : 15, 16; 12 : 2; 43 : 16 f.; 48 : 21, 20; 51 : 9—11;

Is.	52 : 4; 63 : 7—14.	Pss.	77 : 5, 8, 9, 11, 14—20; 78 : 1—53;
Jer.	2 : 6; 7 : 22, 25; 11 : 3—5, 7; 15 : 1; 16 : 14; 23 : 7; 31 : 2 f., 31, 32; 32 : 18—21; 34 : 13—15.		80 : 8; 81 : 1—12; 86 : 5—15; 89 : 10; 95 : 7—11; 99 : 6—8; 103 : 7, 8; 105 : 23, 41; 106 : 6—33; 111 : 4—6, 9; 112 : 4; 114 : 1, 3, 4, 7, 8; 118 : 14; 135 : 4, 8—12; 136 : 10—24; 145 : 8.
Ez.	4 : 4—6; 20 : 5 f.		
Hos.	2 : 15; 11 : 1; 12 : 9, 13; 13 : 4—6.		
Joel	2 : 13.		
Am.	2 : 10; 3 : 1, 2; 4 : 10; 5 : 25; 9 : 7.	Dan.	9 : 15.
		Neh.	9 : 9 f.
		I. Ch.	16 : 12 f.; 17 : 5; 21 : 29;
Jon.	4 : 2.	II. Ch.	1 : 3; 5 : 10; 6 : 5; 7 : 22; 8 : 13; 20 : 7—10; 23 : 18; 24 : 6; 25 : 4; 30 : 7—9, 16; 33 : 8; 35 : 12, 13.
Mic.	6 : 4, 5. 7 : 15.		
Nah.	1 : 2—5.		
Hab.	3 : 2—6.		
Hag.	2 : 5.		
Zech.	14 : 20.		
Mal.	3 : 17; 4 : 4.		
Pss.	50 : 5, 8; 66 : 6; 68 : 7—10, 17; 74 : 13—15;		

Note: A list similar to B is given with a few omissions in A. H. McNeile's "The Book of Exodus", Introd. p. CXXXIV.

The Reformation of Hezekiah.

By

Rabbi Ephraim Frisch, Far Rockaway.

There is a tendency discernible among the latest Biblical commentators to doubt the historicity of the Reformation of Hezekiah, or, at least, to question its scope. It is the object of this article to define the nature of this religious reform. While we cannot adopt Kimchi's¹⁾ naive opinion, following older rabbinical sources²⁾, that the most notable feature of this reformation (i. e. the destruction of the Brazen Serpent or Nehushtan) was a task left, in a spirit of generosity, to Hezekiah by his predecessors Asa and Jehoshaphat, themselves religious reformers, in order that he might have some achievement to his credit by which he might be distinguished in history; we do not, on the other hand, purpose to accept the conclusions of the scholars on the Left without subjecting them to the test of close scrutiny.

We possess the following sources dealing with the religious reformation under Hezekiah: (1) II. K. 18 : 4 "He (Hezekiah) removed the High Places (Bamoth) and broke the Pillars (Mazzeboth) and cut down the Asherah and broke to pieces the brazen serpent that Moses had made; for unto those days the children of Israel did burn incense to it; and he called it Nehushtan."

(2). II. K. 18 : 22 (reproduced in Isaiah 36 : 7), a part of Rabshakeh's colloquy with Hezekiah's officers: "But if ye say unto me, We trust in Jahveh our God; is not that he, whose high places and whose altars Hezekiah hath taken away, and hath said to Judah and to Jerusalem, Ye shall worship before this altar in Jerusalem?"

(3). II. Chron. 29 : 3—30 : 2.

(4). Jer. 26 : 19, a part of the argument of the princes and the people not to punish Jeremiah for his bold preaching, no more than

¹⁾ See his commentary to II K. 18 : 4.

²⁾ Hullin 6 b and Yalkut Shimeoni 234.

Micah had been punished for doing the same in Hezekiah's days: "Did Hezekiah king of Judah and all Judah put him to death? did he not fear Jahveh and entreat the favor of Jahveh, and Jahveh repented him of the evil which he had pronounced against them?"

Taking up these sources for consideration in reverse order, it is to be observed that the historicity of Jer. 26 : 19 is not questioned by any scholars, as far as we know; it is allowed on all sides to contain a genuine tradition. Since, however, this passage speaks of a religious reform only in a general way, without going into specific details, it may be used only as an aid or an offset (as the case may be) to the other sources. I shall take it up again later on in the paper.

The passage from Chronicles must be rejected as one of the many embellished elaborations made by the authors of Chronicles on the brief narratives of Kings.

Concerning II K. 18 : 22, there is a difference of opinion. Some scholars regard the basis of the verse as historical, though touched up by the hand of the Deuteronomist (e. g. Kittel: *Geschichte des Volkes Israel*, 2nd vol. 1909, p. 425, note 2); others rule it out of consideration altogether as both in content and in form of late authorship. It seems best to leave it out as a speech put into the mouth of the Assyrian general by the later historian but never really delivered, resembling the speeches of Thucydides's heroes.

The source most in dispute and the one upon which, after all, the historicity of the Hezekiah reformation rests or falls is II K. 18 : 4: הוא הסיר את הבמות ושבר את המצבת וכתת את האשרה וכתת נחש הנחשת אשר עשה משה כי עד הימים ההמה היו בני ישראל מקטרים לו ויקרא לו נחשתי All interpreters and commentators agree that Hezekiah did remove the Nehushtan or brazen serpent¹). They disagree, however, as to the extent of the reform, aside from this irreducible minimum. Cheyne and Smend doubt whether anything further was attempted by Hezekiah. Montefiore thinks the reform was directed against images in general as well as against the new Assyrian star-worship and the Moloch sacrifices introduced by Ahaz. Stade is of the opinion that an attack was made upon old Israelitish idolatrous cult-objects and totemistic superstitions. All the four of the last named scholars reject that part of the sentence which mentions

¹) Benziger, *Die Bücher der Könige*, 177; McClymont, "Hezekiah" in *Hastings*; Cheyne, "Hezekiah" in *Cheyne & Black*; Montefiore, *Hibbert Lectures* p. 164; Stade, *Geschichte des Volkes Israel* vol. I, p. 608 and *Biblische Theologie* I, pp. 234—235; Kittel, *Geschichte des Volkes Israel*, 494 ff.; Henry Preserved Smith, *Old Testament Hist.* p. 240; Smend, *Lehrbuch d. a. Religionsgesch.* 2nd edit. (1899) pp. 269—271.

the abolition of the High Places, the Pillars and Asherahs as unhistorical. On the other hand, Nöldeke¹⁾, McClymont²⁾, W. Robertson Smith³⁾, and Kittel⁴⁾ accept the historicity of the entire verse, though they are ready to admit that the reform was not effective.

Let us consider the objections raised against the scope of the reform as defined in the verse in question. If it should be found, after all the reasons pro and con are weighed, that the objections raised can be met in a rational way, then, it seems to us, the Biblical narrative should be given the benefit of the doubt on the general principle that the burden of proof falls on the negative side.

One set of objections may be classed as stylistic. It is maintained that the perfects with ו consecutive here, in place of the imperfect with ו show bad style, more akin to post-exilic Hebrew than to pre-exilic. We may acknowledge that the style is poor, but similar violations of the best linguistic usages may be found in sections at least equally old, e. g. II. K. 14 : 7, 14; 18 : 36; I. K. 14 : 27; Amos 7 : 4. How inconsistent these critics are has been pointed out by Kittel⁵⁾, who calls attention to the fact that while they reject וּשְׁכַר and וּכְרָת as poor grammar, they have nothing to say against וּכְרַת, the verb used in connection with the destruction of the Nehushtan. But, it may be added, even if they were consistent and denied the abolition of the Nehushtan for the same grammatical reason, their point would not be well taken, for the question here is not the literary authorship of this verse (which we may grant to be late), but the historical content thereof⁶⁾.

Another argument advanced to prove that Hezekiah did not abolish the Bamoth, Mazzeboth and Asherim is the circumstance that these things do not form objects of attack by the great prophets before and at the time of reformation — Amos, Hosea, Isaiah und Micah. This silence on the part of the great prophets is interpreted as evidence that they did not disapprove of these cult-objects; and it is argued the King would not likely initiate a religious reform unless in the wake of prophetic

¹⁾ Untersuchungen zur Kritik des Alten Testaments, p. 126.

²⁾ Ibidem.

³⁾ Prophets of Israel, pp. 361—363.

⁴⁾ Ibidem.

⁵⁾ Ibidem.

⁶⁾ Stade and the others who reject part of the verse have no support from the versions. The only variation from the Hebrew text is אֲשֵׁרוֹת (plural) for אֲשֵׁרָה given by the LXX, V, A. and S (but not by Targum) and supported by one Kennicott MS.

activity in that direction. As a matter of fact, the prophets did not maintain complete silence on this subject. Leaving out the passages generally classed as late ¹⁾, there remain Hosea 3 : 4 and 10 : 1—2 ²⁾, probably also Isaiah 17 : 8 ³⁾ and Amos 8 : 14 ⁴⁾, and possibly also Micah 5 : 12—13 ⁵⁾ to show that the prophets were not kindly disposed towards the cult-objects in question. But let us grant for the sake of argument that the prophets are absolutely silent on these matters; is it for that reason safe to infer that they did not disapprove of them? Not at all. Nowhere do they say anything in approval of these practices ⁶⁾. But, more than that; we must not look to their words, but to the general purpose and spirit of their utterances to understand why they are silent on these matters. The prophets were interested but little in the external forms of worship; they were little concerned with what cult-objects were used in public and private devotion. What they were after was inner religiousness. This is why they did not attack sacrifices and the rest of the ritual, unless these were notoriously out of keeping with what they (the prophets) regarded as the essence of a religious life — righteous conduct in relation to oneself and to society. "Thus, while Isaiah insists on the removal from religion of things that hide the true character of Jehovah, he has no positive views as to the institution of a reformed worship: the positive task on which he always lays stress is the purification of the organs of judgment and administration, so that the leaders of the state may be able to dwell safely in the consuming fire of Jehovah's holiness" ⁷⁾. This statement holds good, with certain modifications, likewise for Amos, Hosea and Micah. It is true that now and then they did attack specifically certain forms of worship as particularly abominable or stupid, e. g. Hosea's attack on the bulls of Bethel, etc.; Isaiah's on images; Jeremiah's on images and sun-images. But

¹⁾ Amos 5 : 6; Isaiah 19 : 19 and 27 : 9.

²⁾ Cf. Harper, Amos and Hosea pp. 222, 223, 343.

³⁾ Stade, ZAW. III pp. 8—14 maintains וְאֲשֵׁרִים וְהַחֲמִיִּים is a gloss because it hangs on loosely to the rest of the verse.

⁴⁾ Nowack, Kleine Propheten (to this verse) considers this non-Amosian. So too with Amos 5 : 26. The reasons given, at least for 8 : 14, do not seem to us to be sufficient.

⁵⁾ Stade ZAW. *ibid.* rejects this verse too.

⁶⁾ Isaiah 19 : 19 is adduced contra, but the use of מִצְבָּה here seems to betoken a shrine from the standpoint of the Egyptians. Marti considers this a late passage, referring to the temple of Onias IV in Egypt. Cf. his Commentary ad loc.

⁷⁾ W. R. Smith, Prophets of Israel (1895 edit.) p. 361 Cf. Nöldeke, Untersuchungen z. Kritik d. A. T. p. 126.

this detour they make because these forms of worship are particularly obnoxious and indicative of the people's total lack of understanding of the spiritual essence of Jahweh¹⁾, and not because they disapprove of these practices while approving of others. In short, the prophets do not speak of Bamoth, Mazzeboth and Asherim, because these are inconsequential matters for them.

Again, the implication of the inference from the silence of the prophets, i. e. that specific religious reforms were not made unless these were championed by the prophets, cannot, we think, hold water. For if this were the case, how account for the abolition of the Bamoth and Mazzeboth and Asherah by Josiah, which even those scholars who exclude these from the reformation of Hezekiah, ascribe to Josiah? If Isaiah, Hosea and Micah did not attack these cult-objects, who did? Jeremiah surely did not: in only one passage of the book of Jeremiah does Asherim occur (17 : 2) and that verse is denied Jeremiah by Stade²⁾, one of the critics who insists on prophetic activity as a prerequisite to reforms in cult; M a z z e b a h is not mentioned once in J e r e m i a h. And finally, where do we find any denunciation of the Nehushtan on the part of the prophets — that irreducible minimum of the reform to which all critics (including those who insist on preliminary prophetic denunciation as antecedent to specific reforms) subscribe?

We must come to the conclusion therefore that it is quite possible for reforms in cult to be effected officially without these being sponsored by the prophets. We said possible; we should say probable. We need not go to the extent of saying with Kittel³⁾ that such movements are initiated by the court and priests without the assent of the prophets, and sometimes even against their loud protest. But we may say that they displayed little interest in such reforms because they knew the reforms thus contemplated would only affect the surface of religion without striking at the heart; and they cared only for the heart, as said above. Legislation and external transformation they knew would only produce a make-believe reform and prove a bitter disappointment to them in the end. If we need any historical proof to corroborate this general psychological consideration we can find it in the indifferent, if not unfriendly, attitude of Jeremiah to the Deuteronomic reformation, notwithstanding that the latter was, if anything, comparatively less external than that of Hezekiah.

¹⁾ H. P. Smith, O. T. Hist. p. 240.

²⁾ Nowack, Jeremias, ad loc.

³⁾ Gesch. des Volkes Israel I, pp. 487—8.

As a third argument to disprove the suppression of Bamoth, Mazzeboth and Asherim by Hezekiah, it is contended that these cult-objects were regarded legitimate after this period, as may be seen from reference to them approvingly or, at least, without disapproval, in many passages in the Bible e. g. Jacob erecting a Mazzebah at Bethel (Gen. 28 : 18); permission to erect an altar (= high-place) anywhere (Ex. 20 : 24), etc. Now, first of all, we must exclude Asherim as ever being regarded as legitimate anywhere in the Bible; as far as we know, there is no instance in the Bible where Asherim are passed off as legitimate at any time in Hebrew history, i. e. where model characters used or regarded them with approval. The reason is not far to seek: No symbol of deity so palpably associated with a feminine divinity could find a place next to Jahveh¹). As for the Bamoth, there was a period in Hebrew history when they were regarded as legitimate. Originally no doubt associated with Baal worship, they were taken over into the Jahveh cult and soon syncretized with that. But presently a few men of spiritual insight sprang up, who looked upon them with suspicion as fundamentally heathenish, even if superficially Jahvistic. Amos was probably among the first to question their propriety (8 : 14). Very soon afterwards Hosea scores the entire worship associated with them as sinful and licentious (4 : 13; 2 : 15; 9 : 1 etc.)²). In Judah, Isaiah, though not interested enough in them intrinsically to go out of his way to attack them, being absorbed with the more fundamental offense, image-worship, which alone made the High Places possible, is antagonistic to them because of the very nature of his theology which posited the oneness and spirituality of God, a conception against which the half-pagan worship at the High Places and localization (and consequent pluralization) of God must have militated³). Perhaps Micah also inveighed against the High Places (1 : 5). Religious thought underwent profound changes in that era in the course of a few decades. The conquests of Assyria turned the various peoples of Asia minor and especially Israel to question themselves concerning their relations with their God⁴). Some of them lost confidence

¹) Kittel, *ibid.* p. 422.

²) He denounces these together with the great shrines of Bethel, Gilgal, etc., not because he regards these religious forms as sinful over against others less sinful externally, but because of their immoral associations; otherwise he would not bother about them. The recent excavations in Palestine confirm the grounds for Hosea's indignation against High Places; they abound with images of bulls and other idolatrous symbols.

³) George Adam Smith, *Isaiah in Hastings*.

⁴) W. Robertson Smith, *Religion of the Semites*, p. 65.

in their patron deity. This was the case too with many Israelites. But the great body of Israel, and especially the prophets, were ready to explain national calamities as due to religious disloyalty. The Fall (or at least partial Fall) of Samaria in 722 accordingly made a profound impression upon Judah. The fright produced by the approach of Sennacherib must have renewed Judah's self-questioning of its loyalty to Jahveh, and perhaps gave the immediate impulse to the reform of Hezekiah. The demonstration of the inviolability of Jerusalem probably tended still further to purify the Temple cult, and at the same time, close up the local sanctuaries.

We have attempted to explain that the Bamoth were abolished rather quickly — in less than sixty years after Amos, due to the rapid development of a highly spiritual conception of God in that stirring period. We must now account for the survival of seemingly approved instances of Bamah worship reported in documents whose authorship must be placed after Hezekiah. We do it in this way: It is not the time when these documents were edited but when the substratum which they contain arose which must fit in with the religious institutions of the time. In their desire to preserve all the literary sources (or rather documents) handed down to them, the redactors of the Bible, as is well known, made only attempts at formal harmonization of varying or contradictory documents (e. g. the creation stories; the different accounts of the origin of Passover, etc.) and formal elimination of unsavory material (e. g. account of Moses's failure to circumcise; his having introduced the Nehushtan in Israel, etc.). Now, it seems to me, stories and laws dealing with Bamoth and other idolatrous practices with indulgence in Biblical documents dating after the Hezekiah reformation, such as the instances mentioned above (Ex. 20 : 24; Gen. 28 : 18; Judg. 17, etc.) are survivals of an age when these things were still regarded as legitimate, and in no way reflect the views of the time when they were edited by the redactors.

The references to Mazzeboth in an indulgent way in post-Hezekianic documents are to be explained in a similar way as survivals reflecting the standards of an earlier age. In the case of Mazzeboth, the references are more numerous than is the case with Bamoth and Asherim, probably because the Mazzeboth were the least objectionable of the three. They seem to have been no more than stone slabs upon which oil was poured in honor of the deity, (cf. Gen. 28 : 18) and as such must have called forth but little opposition from religious purists. After the exile, when the original associations of the word were probably forgotten, it was

used in the sense of a commemorative pillar and this is very likely the meaning it has in Isaiah 19 : 19, (assigned by Marti to post-exilic times, see note 13) where the מוֹבָח represents the symbol and the מַצְבָּה the witness of Jahveh¹).

A fourth argument against the historicity of II. K. 18 : 4 is based on the objection that such a drastic act of reform is hardly conceivable, unless previous attempts in the same direction are posited. Such previous attempts, however, critics who offer this objection deny having been made. We submit that these critics fail to pay sufficient attention to the reform endeavors preceding that of Hezekiah. The Hezekiah reformation was not a movement *de novo*, as has been claimed. The Jehu revolution, which is accepted by critics generally as historical, already included the destruction of specifically Baal cult-objects (Asherah, Massebah). Under Ahaz, who introduced Assyrian idolatrous practices and re-introduced heathenish rites from Palestinian peoples, the Mazzeboth, Bamoth and Asherim were probably again Baalized and even brought close to the Temple premises; hence the revulsion of feeling against them under Hezekiah.

Finally, the historicity of the Hezekiah reformation has been challenged on the ground that if it had actually taken place the reforms of Josiah would not have been needed. In answer to this, we would say that the objection here offered is based on a confusion of the ideas of operation and effectiveness. To determine whether a thing was done by its success or failure seems to us to be an absolutely unscientific procedure. We readily grant that Hezekiah's reformation was ineffective; but what has that to do with its historicity? We need not go for parallels to such abnormal cases as Ikhnaton's reform in Egypt which was entirely wiped out by his immediate successor; the history of Israel offers us several examples of forward movements in religious purification by the religious leaders which fail soon or are even followed immediately by reaction because the main body of the people cannot keep pace with the leaders. Elijah's warfare against Baalism seems to have been but partially successful. Jehu's efforts towards a purer Jahvism, were followed by a reversal to Baalism. Josiah's reform itself, as we know from Jeremiah, Ezekiel, other Biblical sources and the excavations, was anything but effectual. The history of Israel is a history of spiritual leaders being dragged back in their rapid religious march by the sluggish and often

¹) Marti, Jesaia, ad loc.

retreating masses. The reformation of Hezekiah is but a chapter of that story.

To the reasons we have already offered to prove that the Hezekiah reformation was substantially such as it is reported by the historian in II. Kings 18 : 4, we would add a few minor considerations pointing in the same direction. First, the chroniclers who composed First and Second Kings do not accredit any king before Hezekiah with such a thorough attempt at reforming the cult as Hezekiah's. Now, if, as it is often claimed, they perverted facts to harmonize with their present advanced religious views, why is it that they did not ascribe such a complete reformation to any king before Hezekiah when there were so many of the preceding kings whom they admired for their religious zeal? Examining the characterizations of the reforming kings whose religiousness they commended, we find that not a one of them until Hezekiah is dismissed without some pious regret that he did not abolish all the idolatrous practices then prevailing. Asa is praised for the reforms he instituted but he did not remove the high places (I. K. 15 : 12, 14); Jehoshaphat is commended and blamed similarly (I. K. 22 : 44); Jehu receives an encomium for his warfare on Baalism but he is criticized for not removing the golden bulls (II. K. 10 : 28); Joash (II. K. 12 : 4), Amaziah (II. K. 14 : 4), Azariah (II. K. 15 : 4), and Jotham (II. K. 15 : 35) are all extolled for their respective reforms but found fault with for not suppressing the Bamoth. Hezekiah is the first one described as having initiated a thorough-going reform. The veracity of the historians of I. and II. Kings cannot be impeached at least on internal evidence. It is true their opinions of the characters of the kings were colored by their theology; they wrote them down as either saints or deep-dyed sinners in accordance with the interest they displayed in Jahveh worship, leaving no neutral classification. But there is no reason to believe they consciously perverted the facts as they knew them.

As a second consideration pointing to the truthfulness of I. K. 18 : 4, may be mentioned Jeremiah 26 : 14, accepted by critics as correct tradition, which tells how the elders held up as a precedent for permitting Jeremiah to enjoy freedom of speech the case of Micah who long before Jeremiah had predicted the destruction of Jerusalem: "Did Hezekiah king of Judah and all Judah put him to death? did he not fear Jehovah, and entreat the favor of Jehovah and Jehovah repented him of the evil which he had pronounced against them?" If this be allowed to stand as a correct tradition, then it seems to me to corroborate the report of the reformation chronicled in Kings. A reformation of the cult is just

the procedure the court and the general run of religious people would adopt to show their repentance, no matter how much more spiritually fundamental the faults were of which the prophets complained. Micah and Isaiah demanded social and moral and spiritual purification; the official religious leaders and the court and the people, unable to rise to their high conceptions, instituted cult-purification.

To sum up the scope of Hezekiah's reformation, therefore, we would say that efforts, then at least partially successful, were made by the king and the official religious leaders to remove the Nehushtan and other images of deity and to suppress the Bamoth, Asherim and Mazzeboth. The program of the reform was not outlined by Isaiah and Micah because they were not interested in a transformation of the externals of religion but of its essence (conduct and spirituality); but probably by the official priestly leaders, as in the Deuteronomic reformation, and most likely inspired by a similar combination of motives (endeavor to rise to prophetic religion; desire to increase the prestige and revenues of the temple at Jerusalem; effort to suppress superstitions and immoral practices at the local shrines). The measures adopted while exhibiting a poor appreciation of the prophet's preachings, were yet too far in advance of the great body of the people. Both the methods adopted (legislation and "downward revision") and the conditions existing tended to make the reformation ineffective; certainly not quite as effective as the one instituted by Josiah, nearly a hundred years later, when conditions were more favorable; but at all events ineffective as a final attempt. However, it was not altogether without effect; it prepared the way for the Josiah reformation. "The axe for the first time struck at the roots of the tree; the decisive blows which caused it to fall followed later. But that the first blows did not bring it to the ground is no sign they never were struck." (Kittel, *ibid.* p. 499.)

So much for the historicity and scope of the Hezekiah reformation. The question as to what precise time in his reign the reform took place is a matter of minor consideration. II. Kings does not state when it took place — and that is our only reliable source. Whether Chronicles' fertile imagination, which assigns the reform to the first year of Hezekiah's reign, is correct, is open to serious doubt. It is true that kings often institute important innovations immediately after their ascension; and that Hezekiah was a vigorous ruler capable of such measures may be inferred from the fact that he was recognized as one of the leading figures in the politics of the West-lands, notably in connection with the siege of Ashdod by Assyria. But as he was under the influence of the irreligious

court party in the first part of his reign it appears unlikely that he instituted a reformation then. Most of the critics ¹⁾ place it after Sennacherib's invasion and withdrawal, giving as their reason the supposition that after the inviolability of Jerusalem was demonstrated and the local shrines devastated, the prestige of the Temple at Jerusalem increased enormously and Isaiah's influence multiplied, resulting in the purification of the former along lines approved by the prophets. It seems to us rather that the reform was initiated by the court and priesthood as a result of the doom announced by Isaiah and particularly Micah (who predicted the fall of Jerusalem) right before the invasion of Sennacherib, perhaps just as he started to move his forces from Assyria westward. The king and the officials, terrified at the approach of the Assyrian hosts, giving the best tangible expression they were capable of to the demands of the prophets to improve their ways, started the task of removing all the practices recognized as Baalistic. Gratitude over the escape of Jerusalem from Sennacherib's power gave renewed momentum to the reform movement. It is from this point of view that the tradition which was still vivid with the elders in the time of Jeremiah is best understood: Hezekiah "feared" Jehovah and entreated his favor by initiating a religious reform; Jehovah showed that he repented him of the evil which he had pronounced against them (i. e. the destruction of Jerusalem and fall of Judah).

¹⁾ Cheyne, *ibid.*; Montefiore, *ibid.* pp. 163, 166; Stade, *Geschichte*, p. 608, *Bib. Theol.* p. 234; H. P. Smith, *ibid.* p. 240; Smend, *ibid.* p. 270—271; W. R. Smith, *ibid.* p. 360. But Kittel puts it at the beginning of his reign.

Die Zurechtweisung der Seele.

Von

Ignaz Goldziher, Budapest.

Als besondere Klasse können in der neuhebräischen Poesie die Gedichte betrachtet werden, welche die Zurechtweisung oder Aufmunterung der Seele zum Gegenstand haben. Sie bilden eine Unterabteilung der von Zunz unterschiedenen Gruppe der Tōkhāchā-Poesie. In solchen Dichtungen wird die Seele mit der Anrede als יקרה, השולמית, ויחירתי, נפשי u. a. m.¹⁾ (auch לבי) an ihren göttlichen Ursprung, an die Nichtigkeit des Erdenlebens und an ihren wahren Beruf während ihrer Pilgerschaft in demselben erinnert, zur Umkehr von ihren irdischen Irrungen und Verfehlungen und zum Aufschwung zu ihrer himmlischen Heimat ermahnt. Ibn Gebirol²⁾ und Jehuda Halēwī³⁾ sind die Klassiker auch in der Pflege dieses von ihnen in arabischen Metren viel bearbeiteten Themas der zumeist zu liturgischem Zweck, jedoch auch unabhängig von liturgischer Verwendung geübten Dichtung. Im Zusammenhang mit den Gebetordnungen eignete sich die Seelenermahnung vorzugsweise als Einleitungsgedicht (reschūth)⁴⁾ zu נשמח

¹⁾ Zu dieser Synonymik vgl. Ma'ānī al-nafs, meine Ausgabe, Kap. 8. S. 26 ff. und die Anm. dazu.

²⁾ שירי השירים אשר לשלמה ed. S. Sachs (Paris 1868) Nr. 3. 14. 15 (auch Nr. 5, wo die Anrede יצרי lautet, kann hierher gerechnet werden; das Gedicht wird als אזהרת הנפש bezeichnet).

³⁾ Ed. Luzzato (Mek. Nird. 1864) Nr. 10. 28. 29. 33. 38. 42; ed. Brody III (Mek. Nird. 1910) Nr. 17. 77. 108.

⁴⁾ Nicht als ob ich ein Abhängigkeitsverhältnis annehmen wollte, möchte ich doch nicht unerwähnt lassen, daß der terminus رخصة Erlaubnis auch im Arabischen zur Bezeichnung einer Einleitung vorkommt: Aghānī I S. 4, 24 سوی
الرخصة التي هي أول الكتاب, dieselbe Stelle auch Fihrist S. 141, 21.

כי, wozu die Schlußzeile (Aufruf zur Lobpreisung Gottes) in der Regel einen anknüpfenden Übergang bietet¹⁾, jedoch auch als Einleitung zu Ps. 104, oder (Aufruf zur Buße) als tôkhächā für den Veröhnungstag²⁾. In größter Einfachheit, frei von metrischem Zwang, aber desto wirkungsvoller und ergreifender erscheint die Seelenermahnung in dem den „Herzensepflichten“ des R. Bechaji in hebr. Sprache beigegebenen Tôkhächā-Lehrgedicht.

Gegenwärtige Zeilen, mit denen ich an der Begrüßung des verehrten Freundes teilnehmen möchte, dessen Studien wertvolle Anregungen zum Nachweis der Quellen und Zusammenhänge mancher Elemente der jüdischen Gedankenwelt bieten, haben die Absicht, auf die literarische Anknüpfung jenes Typus der neuhebräischen Poesie hinzuweisen und als weiterer Beitrag zu meinem Versuche im JQR, XIV 719—736 zu dienen³⁾.

Die jüdischen Dichter und Moralisten sind zu den Zurechtweisungs- und Mahngedichten an die Seele, wie schon Steinschneider angedeutet hat⁴⁾, durch die arabische Literatur angeregt worden, in der das Genre der mu‘atabatal-nafs verhältnismäßig früh erscheint. Es wäre freilich sehr schwer, den im Namen des Umejja ibn abi-l-Ṣalt überlieferten Gedichten eine annähernd genaue chronologische Stelle mit einiger Zuversicht anweisen zu wollen. Jedenfalls gehören sie einer frühen Schicht der moralisierenden Poesie an. Unter diesen Gedichten

¹⁾ Als רשות לנשמת ist auch (ed. S. Sachs l. c. Nr. 15, Anf.: עין יחידתי) אני על כן אברך zu beanspruchen; die Schlußzeile zeigt den Übergang: את אדוני | כמו כל הנשמה לו חברך

²⁾ Die oben in den Anmerkungen verzeichneten Gedichtstücke bieten Beispiele für jede dieser Verwendungen.

³⁾ Leider wird in den Arbeiten über neuhebräische Poesie auf das dort empfohlene unentbehrliche Mittel des Verständnisses und der Erklärung der Dichtungen nicht genügend geachtet. Aus einer Reihe von Beispielen, die sich darbieten, möchte ich bei dieser Gelegenheit nur eines hervorheben. In einem Gedicht des Josef b. Ṣaddik an Isak b. Muhādschir heißt es vom Wein: לא משבא העֶרֶק (H. Brody, Drei unbekannte Freundschaftsgedichte des Jos. b. Zaddik [Prag 1910] im Bericht „Talmud-Thora“ für 1909/10, S. 13, 1). Der richtige Sinn wird erst verständlich, wenn man das in der altarabischen Poesie so häufige Epithet des Weins

معنة beachtet, das gewöhnlich mit der Bezeichnung der Provenienz (wie hier in negativer Weise mit Schebhā) verbunden wird. Die südarabische Herkunft wird in solchen arabischen Beschreibungen häufig betont (s. Mordtmann-Müller, Sabäische Denkmäler, Wien 1883, S. 47). Vgl. dazu מוֹמֵן מוֹמֵן הַיָּמִן (Moses b. Ezra, Tarschisch 41 und die richtige Erklärung von Brody in Monatschrift 1911, S. 81), genau im Sinne der arabischen Weinschilderungen.

⁴⁾ Hebr. Bibliographie V S. 92.

findet sich der Anfang eines an die Seele gerichteten Mahngedichtes¹⁾; in einem andern, wo durch einige Zeilen von der Vergänglichkeit alles Irdischen geredet und die Seele in diesem Sinne apostrophiert wird, ist mit Anwendung des in solchem Zusammenhange später gebräuchlichen Terminus die Rede von dem Menschen, der seine Seele aufruft und sie zurechtweist. (عبد دعا نفسه فعائبها)²⁾ — Von dem Dichter ‘Abdallāh b. ‘Abd al-A‘lā al-Ḳuraschī, Genossen des Omajjadenprinzen Maslama b. ‘Abdalmalik, Belagerers von Konstantinopel (st. 740) wird ein an die Seele gerichtetes Mahngedicht von 10 Zeilen (Anfang: „Versehe dich, o Seele, ehe du zugrunde gehst, mit einer Reiseausrüstung³⁾, mit der du dein Ziel erreichst; du bist ja nicht vergeblich erschaffen worden“) überliefert, das der fromme Chalife ‘Omar II. gern hersagte⁴⁾. Derselbe Dichter rührte den Prinzen, zu dessen Intimen er gehörte, durch die Rezitierung ähnlicher asketischer Verse⁵⁾. — Jezīd al-Rakḳāschī, ein Höfling des ersten ‘Abbāsidenchalifen al-Saffāh (750—754), pflegte seine Seele zurechtzuweisen (يعاتب نفسه), indem er sie anredete: „O Seele! wer wird für dich nach deinem Tod die Gebete verrichten, wer für dich fasten usw.“⁶⁾.

Mit dem Eindringen der neuplatonischen Anschauungen in die Gedankenkreise der denkenden Muslime konnten diese Keime eine überaus fruchtbare Entfaltung erfahren, indem sie mit den Theorien von der Emanation der Seele aus der Oberwelt, von dem Zwecke ihrer Herabsendung und von den Bedingungen ihrer Rückkehr zu ihrem Ursprung (ἐπιστροφή) kombiniert wurden. In diesem Sinne wird nun die hier auf Erden als Fremdling weilende Seele ermahnt und an ihr wahres Wesen und ihre hohe Bestimmung erinnert. Der vollkommenste Repräsentant dieser neuplatonischen Ausbildung der mu‘atabat-Idee ist die zuerst, nur zum Teil, von Fleischer (1870), dann in ihrem voll-

¹⁾ Umajja ibn Abi ṣ Ṣalt gesammelt und übersetzt von Friedrich Schulthess (Leipzig 1911) Nr. XV v. I يا نفس الخ

²⁾ ibid. Nr. XL v. 10 Der Vers scheint allerdings eingeschoben zu sein; er kommt in keiner der durch Schulthess S. 49 gesammelten Parallelstellen vor und unterbricht den Zusammenhang von Vers 9 auf 11.

³⁾ vgl. Tōkhācha des Bechaji: נפשי הכיני צדה לרב וכו' (ed. Yahuda S. 399, 27); Chōbhōth VI c. 3, Ende (ed. Yah. S. 263, 5) Steinschneider, Hebr. Übersetzungen d. Mittelalters, S. 880 Anm. 191 Ichwān al-ṣafā (ed. Bombay) III S. 78 ult. استعد للرحلة وتزود للسفر.

⁴⁾ Amālī al-Ḳālī (Bulak 1324) II S. 323 f.

⁵⁾ Aghānī XVI S. 157, 6.

⁶⁾ Ḳurṭubī Taḍkira (in der Bearbeitung des Scha‘rānī. Kairo 1310) S. 4, 21.

ständigen Text von Otto Bardenhewer bearbeitete pseudohermetische Schrift: *Zurechtweisung der Seele*¹⁾. Der Umstand, daß die in derselben entwickelten Seelentheorien vielfach mit den in den Abhandlungen der Ichwān al-ṣafā dargestellten Gedanken übereinstimmen, muß nicht mit Bardenhewer²⁾ zu dem Schlusse führen, daß für die Entstehung der Schrift das jenen Enzyklopädisten von Baṣra folgende Zeitalter anzusetzen sei. Die neuplatonischen Theorien waren ja bereits früher in die muslimische Welt eingedrungen. Andererseits kann wieder die Wirkung der mu'atabat al-naḥs auf weite Kreise beobachtet werden. Daß auch das jüdische Schrifttum von ihr berührt ist, ist anderswo nachgewiesen worden³⁾.

Daß die neuplatonische Literatur das Motiv der mu'atabat al-naḥs sich gern angeeignet hat, finde ich in einer besonderen literarischen Tatsache begründet⁴⁾, von der bei anderer Gelegenheit eingehender die Rede war: nämlich dem Einfluß, den das *Kalila wa-Dimna*-Buch in seiner arabischen Bearbeitung durch 'Abdallāh b. al-Muḥaffa' (st. 757) auf die neuplatonisch gestimmten Muslimen geübt hat⁵⁾. Nun enthält diese Bearbeitung in ihrer Einleitung⁶⁾, die wir jetzt auch in der deutschen Übersetzung Nöldkes⁷⁾ genießen können, eine umfangreiche moralische Ermahnung, die der Arzt Barzōe an seine Seele richtet. Von hier aus wird wohl das Thema der Seelenzurechtweisung die Gunst der neuplatonischen Moralisten erlangt haben⁸⁾. Es gehört dann bis in die späteren Zeiten zum eisernen Bestande der asketischen (und auch der süßischen) Literatur, in der die an den Menschen gerichteten Ermahnungen gern in diese Form gekleidet werden⁹⁾.

¹⁾ Hermetis Trismegisti qui apud Arabes fertur De Castigatione Animae Libellum edidit latine vertit adnotationibus illustravit Otto Bardenhewer (Bonnae 1873).

²⁾ l. c. p. XV.

³⁾ Kitāb ma'ānī al-naḥs; Vorwort S. 9, 13.

⁴⁾ Es wäre freilich verlockend, einem Einfluß von Marc Aurels εἰς ἑαυτὸν (wo ja auch die Seele angeredet wird, II, 6 ὁ ψυχῇ) Raum zu geben; wir ermangeln jedoch aller Basis für die Annahme literarischer Vermittlung.

⁵⁾ Der Islam, herausgeg. von C. H. Becker I (1910) S. 23 ff.

⁶⁾ ed. Cheikho (Beyrouth 1905) S. 32—33 des arab. Textes (Hebräische Übersetzung ed. J. Derenbourg [Bibl. de l'École des Hautes Études, fasc. 49, Paris 1881] S. 322—324).

⁷⁾ Barzōes Einleitung zu dem Buche *Kalila wa Dimna* übersetzt und erläutert von Th. Nöldke (Straßburg 1912, Schriften der Wissenschaftl. Gesellsch. in Straßburg, 12. Heft) S. 12.

⁸⁾ In diese Gruppe gehört auch das von Wenrich (De auctorum graecorum versionibus S. 119) völlig misverstandene pseudoplatonische كتاب معادلة النفس لافلاطون in der Leidener Hsch. Warner 1148 (2). Katalog III S. 310.

⁹⁾ Ein schönes Beispiel bietet Abū 'Alī Zejn al-'ābidin الغناني المعبري 9*

Aus älteren Erzeugnissen dieser Literatur werden die jüdischen Dichter die Anregung zu gleicher Verwendung des Themas geschöpft haben. Wir wissen ja auch aus anderen Beispielen, daß in ihren Dichtungen neuplatonische Anschauungen sich vielfach reflektieren ¹⁾).

Eine Steigerung der mu‘atabat al-nafs ist in der Idee der Rechenschaftsforderung von der Seele (muḥāsabat al-nafs) ausgebildet, die als integrierendes Element der asketischen Ethik im Islam erscheint. Der schon oben erwähnte ‘Abdallah ibn al-Muḥaffa‘ ist mit seinem kleinen, durch Scheich Ṭahir al-Dschazā‘irī veröffentlichten ethischen Traktat (al-Adab al-ṣaḡhir) der früheste Schriftsteller, der sich über diese von ihm in ganz materieller Weise gewünschten muḥāsaba ausspricht; er betrachtet sie als Mittel für die Zurechtweisung und Demütigung der Seele ²⁾. Die zur asketisch-ethischen Literatur gehörenden Schriften enthalten zumeist ein besonderes Kapitel darüber, was der entsprechenden Pforte der „Herzenspflichten“ (שער השבוי הנפש) als Muster gedient und auch ihren Inhalt beeinflußt hat ³⁾. Mit einem speziellen Nachweis dieses Verhältnisses ⁴⁾ würde ich die mir in diesem Beitrag gestellte Aufgabe überschreiten und vielleicht auch einer zu erwartenden kompetenteren Behandlung vorgreifen. Nur darauf möchte ich auch bei dieser Gelegenheit hinweisen, daß die muslimischen Moralisten die Pflicht dieser Rechenschaftsforderung in ihrer Weise nicht nur auf ein angebliches Ḥadith des Propheten zurückführen ⁵⁾, sondern

in seinem Sirādsch al-ḳulūb wa-‘ilādsch al-dunūb (Kairo 1310, a. R. der Ausgabe des Ḳūt al-ḳulūb Bd. I) S. 130. Ich konnte die Lebenszeit des Verf.s nicht ermitteln; weder sein Name, noch der Titel des Buches werden bei H. Ch. und anderen mir zugänglichen bibliographischen Werken erwähnt. — Aus späterer Zeit können als Beispiele dienen: eine Mu‘atabat al-nafs von ‘Abdalwahhāb al-Scha‘rānī (st. 1565) im Gothaer Arab. Handschriftenkatalog no. 833; persisch: Muḥammed ‘Urfī (st. 1617) Risāle-ināfsijje (die Handschriften zuletzt verzeichnet im Bankipore-Katalog II S. 191).

¹⁾ Vgl. z. B. die Anmerkungen zu Ma‘ānī al-nafs, zu S. 29, 26; 54, 8; s. auch noch Jeh. Hal. Diwān ed. Luzzato Nr. 63; ed. Brody III Nr. 5, v. 7—13; nr. 14; 63; 138 v. 14 über die Seele.

²⁾ Rasā’il al-bulaghā I (Kairo 1908) S. 4, 16 تذکیر وتبکیت للنفس وتذليل لها

³⁾ Vgl. M. Schreiner, Der Kalām in der jüd. Literatur (Beigabe zum XIII. Bericht der Lehranstalt für die Wissensch. d. Judent., Berlin 1895) S. 25, Anm. 2.

⁴⁾ Vgl. Revue de l’Histoire des Religions (1898) XXXVII S. 322.

⁵⁾ Bei ‘Abdalḳādir al-Dschilānī, al-Ghunja li-ṭālibi tariḳ al-ḥaḳḳ (Mekka 1314) II S. 118 vom Propheten: حاسبوا أنفسكم قبل أن تحاسبوا وزنوها قبل أن توزنوا

— mit Berufung auf den in solchen Dingen unentbehrlichen Wāḥ b. Munabbih — auch schon aus der „Weisheit Davids“ (حكمة داود) herleiten können. Der Vernünftige — so habe König David gesagt — dürfe sich (folgender) vier Stunden nicht entschlagen: — die eine ist die Stunde, in der er von seiner Seele Rechenschaft fordert¹⁾.

¹⁾ Ibn Kutejba, 'Ujūn al-aḥbār ed. Brockelmann S. 328, 15: ينبغي

للعاقل أن لا يشغل نفسه عن أربع ساعات ساعة يحاسب فيها نفسه

Principles of Religious Instruction in Jewish Schools.

By

Prof. Louis Grossmann, D. D., Cincinnati.

All the influences which go into the child-soul must be homogeneous, if a sound character is to result. This principle of education sets its face against the division of subjects into secular and sacred. Whatever theology may say, pedagogy cannot make a distinction between subjects except as to what relevancy they have to child-life and what moral content they hold. Indeed, quite opposed to the traditional view, all of history, for instance, is sacred, for all of it, to the exclusion of none, exhibits the sovereignty of the Law and the activity of God. Similarly all human thought, every human speech, and all literatures are sacred, for they evidence the earnestness of man under all human conditions. The break-up of life into two mutually exclusive parts is one of the most regrettable errors mankind has committed. It has caused not only calamitous conflicts which have been more than merely academic, but also confusions as to moral values which have misled the conscience of men and perverted their sense of right and wrong. It helps us little to explain that this double standard of life has been forced on us by priests and organized religion, except to make us cautious of it in modern life. If theology is not yet ready to right the matter, it will be the duty of the teacher to say the redeeming word. He must be open-eyed enough to see the facts of life as they are and he is near enough to child-life to know the original instincts of the soul. It is satisfactory to realize, that in contrast with the tragedies which priestliness and secularism have precipitated everywhere else, Judaism has been free from the struggle and has a clean hand. At the heart of Jewish culture lies its respect for all of life and for all life's phenomena. In a very clear sense a Jew ought have no specifically theological aspect of God, man and world; the scientific view, the historic view, and the sociological view are not only equally possible but also equally significant and equally authoritative. For all

of them report what God does in the world and what man attempts to do in consonance with Him. The two-fold aspect has never been congenial to Jewish thought or Jewish life and is, indeed, alien to it. The Jew knows only of one God and of a God-created World which He permeates in all directions. The Jew finds the sacred in and through the secular, and the secular is filled with the sacred. All knowledge, as all activity, is religious and moral.

The educator is very much interested in the unity of all the subjects he teaches. For his aim is to establish in the child a moral personality, but he cannot do it if the school-influences are broken up and contradict one another. A double standard will always demoralize. It is not logical, it is not tolerable that an act we do may be regarded as right and wrong at the same time, that the priest may approve what the layman must condemn or that the layman approves what the priest condemns. Nothing has hindered the influence of religion so much as this aloofness from human interests. The priest has alienated just where he means to minister. This the teacher is called upon to correct. All of life must be opened up and education must re-establish the unity of human interests.

There are no subjects the child is taught which are specifically religious, either in content or in discipline, and there is no subject which does not hold a moralizing or spiritualizing value. The notion that the parochial or congregational schools teach religion while the public or communal schools teach non-religious matters, must be contradicted. Religion is present and influential in both. To be sure, the parochial school has the task to perpetuate a certain form of religion and, it may be, the secular school is devised to fit for practical life with the elimination of all that is known to hinder it (and sometimes sectarianism does hinder life). But, in the ultimate, religion is designed to enhance the power for right living, and the belief in God is merely a high spur to morality, and the most potent we have. The teacher employs the religious content of the subjects he teaches, no matter whether his class assemble in a house of worship or in a public building. The reason why the teacher is "broad" does not lie in the fact that he is non-committal on the subject of belief, but, on the contrary, just because he is serious on it. To him religion is not something apart from the daily life but all through it. God is not mere "belief" but an influence. He does not find God in some directions and ignore or miss Him in others. God is outside and inside, God is in the past and in the future, in man and in all organic life, in the word and in the deeds of men, in every phase of developing civilization, in the things tangible and intangible, in life and in death, in the soul

and in the flesh, in truth that has come forth and in the struggle which truth has and in the falsehood which is often merely the truth of another day and of another man and people.

But the artificial classification into sacred and profane or secular does the greatest mischief to the child. To it knowledge is not an abstraction but always experience, and experience is significant to character rather than to mind. If the child cannot see that one Law holds good everywhere, it will refuse to respect it. Merely church-religion is no religion at all, for nine tenths of life is outside of it. The child learns history, it wants to find God in it. It learns science, it wants to find God in that. It learns the rules of conduct in order to adjust itself to the world in which God is present and it wants to see Him and to feel Him, because it wants co-operate with Him. It seeks God everywhere with the spiritual scent which is so sure of itself, and it cannot reconcile itself to the forbidding injunction: here is God and only here, and elsewhere God is not and can never be. There is no need to argue with children that there is a God. They anticipate us in that. In all the history of teaching no child has received its religious convictions as a sort of sudden "revelation". It is an original part of child-nature to be pious and to believe. The child gains nothing when theology is forced upon it, and when it is, the child loses its naivete and feels a weight upon its impulses. Theological verities were originally meant to be moral incentives and moral checks, but now they often prove to be snares and illusions. It is the glory of Judaism that it has not lent itself to this confusion of child-life and child-faith. From the very beginning of its educational career, the Jewish child is made to feel that God is in the centre of Life, that its soul is kindred with the All-soul and whatever enters its life streams from the Great Source. That is the reason why Jews take so readily to all the professions and to all studies and have such tolerance. Education is "universal" with Jews because they look for a cultural content in every subject and because they feel they have a right to take possession of this cultural good. If the modern child does not take so readily to religious discipline, I fear the fault lies with those who have introduced into the midst of Jews the utterly unjewish notion that some studies lead to religion and some studies lead away from it. This has aroused doubt that church-people (and there are church people also amongst Jews nowadays) have sound judgment on studies or on teaching. For nothing is so calculated to bring the whole matter into suspicion and distrust as the proposition that some schools provide religion and some schools do not, Unless it be the other, more offensive but not more summary proposition

that only a certain kind of subjects makes religious, and that the other unmakes it.

The practical aspect of this difficulty is clear enough. Children are sent to the public school for one reason and to the religious school or lesson for another reason, and the child's school life is broken into two discordant parts. The consequence is that not only the child's culture but also his morality is without homogeneity. For the prime condition for a normal, let alone sound, character is that it have its rise in one moral center. Secular studies establish an intellectual life, unrelated to motives and religious convictions, while the specifically religious studies are equally isolated in the child's soul and remain untransmuted into purpose and will. Not only is there a difficulty in the fact that traditional pedagogy does not see farther than the walls of the school-room and will not see that subjects taught to children are opportunities for moral training, but the subjects themselves are torn apart and the child is made to feel that he moves in two different worlds which exclude and oppose one the other. This provokes the despair of religion as it is also the cause why modern culture seems often hollow, despite its otherwise great achievements. There is great danger that we Jews too may lapse into this grievous error. Jewish culture has always been pervaded by a religiousness which was at the same time its charm as well as its power. It was also avowedly practical, that is the religious tone which pervaded it was not abstruse. In the same sense, Jewish morality is evidenced throughout our history not so much by an ethical system or maxims as by the implicit presence of it in every event, act and experience. We have no ethics apart from life, and we have no vital interest and share in the world's work other than that dictated by our moral genius. It has often been remarked that modern Jews have taken so readily to the trades, the professions, the arts as soon as the emancipation came to them and they were free to enter the Universities and the public life, and this readiness and capacity were credited to some subtle genius they were supposed to possess. But the fact is that they evinced their interest in the various phases of culture, as soon as they were permitted, out of a moral and religious acumen which had always been characteristic of Jewish life. They had never been taught to consider anything alien to their souls. On the contrary, it has always been a cardinal doctrine in Judaism that every phase of life is equally an opportunity for religious and moral exercise. We must re-emphasize this traditional moral interest and make it dominate all others.

It is experiences, not books, that teach. The difficulty is adjusted

just as soon as we recognize that. We send children to school to acquire not so much information as training. Here sacred and secular cease to mean divergent things. In fact they are restored to their real meaning, and they become identical. It is possibly only a matter of degree between them. Religion and morals pervade all of life and there is not one phase outside of them. The teacher uses his material, he does not merely present it. He uses it for the moralization of the pupil; he makes the past experience of men and nations illustrative of forms of conduct, desirable for emulation or to be rejected; he exhibits instances how conformity brings benefits and satisfactions, and violations bring injury and soul-disturbances. For instance, Moses is a type of life, worthy of admiration and imitation. He becomes an influence for the upbuilding of character just as Washington or Bismarck and of a higher degree than these, just as his motive transcends theirs. The Exodus from Egypt is a spur to the deep seated love of liberty, to a high conception of it and to a manly seizure of it. It is an enduring triumph of men's love and need of justice and can thrill the youths of today and of all coming days. As mere "records" the biblical accounts are nugatory in effect and can never have any bearing on life. But as types they challenge the stamina of every soul. All of history becomes alive and suggestive and close to the heart of the young man who faces moral problems. It is a mistake to suppose that his interest is simply academic; it is personal, it is intense, it is a question of moral living. He is before his teacher, not as putty which takes the pressure of the stamp but as a living soul that reacts against another soul. And he will leave his teacher for the practical occupations of his career with the influence of both the teacher and the subject in him, or at least he should so leave. Of what use would be the classic story of virtue if it should not kindle virtue or the story of vice if it should not warn against vice. Should the providential acts, so long and so profoundly endeared to men, remain, indeed, nothing but dead-letter, unproductive? We teach that we may give life; we teach religion and morality that the young may live truthfully, nobly, intensely.

We must reconstruct our schools; they are medieval in spirit. The pupil does not come to school for the sake of the book, but he comes there for the sake of himself. He is interested in his own destiny, in his own duties, in his own problems, in his own needs. And he is undeveloped, and he has so much to see, and so much to know and so much to do !

The touchstone of all teaching is, does it supply a need? Does it

supply to the young life that which it requires for development? Does it give what will help the young soul to get its bearing in life? The child is taught geography (let us say). It gets out of the study breadth of sympathy with other persons who solve their life-problems differently, though they have the same obligations. No study so liberalizes as does geography. It enkindles kinships with races. Again the child is taught spelling and reading and writing, that it may be able to communicate with others rightly, scrupulously and satisfactorily. It is taught the solving of problems in arithmetic, not that it may be able to count profit and loss and the sordid things, but that it may get the compelling moral experience that men must be exact and correct and dare not evade nor pervert the truth. The study of mathematics is a moral discipline. The child learns history that it may realize that Law prevails in all lives and that Providence means something real and inevitable, that God is in the World. And so on. It is time that we concede that all education is religious and moral. But we must concede it from the point of view of education itself.

We have been teaching the Bible but not the biblical life. We have been teaching it as adults to adults, but not as adults to growing, soul-hungry childhood. We have taught it as "revelation", but have not revealed its life. We have employed it as proof for religious and moral "truths", but we have not made these truths tell in the young hearts. During our teaching we have thought more of abstract principles than of concrete lives; we have thought of Judaism and not of Jews. But all the while eager children have looked up to us and have waited for what we should have given to them. And we have looked over their heads into an illusive future and have ignored those who were in front of us. But teaching is like nursing, it feeds, and when it is neglected it kills.

Some of the apathy, some of the skepticism, some of the estrangement among modern Jews is chargeable to inattentive, insincere and unsatisfactory teachers. The aim of the teacher should be to help in growth, and the test of his worth is whether he has encouraged this growth or has hindered it. The incompetent, the incomplete men and women who move about us, may some day stop in front of some teacher and hold him to account. The indifference to religion of which there is a general complaint and the lightness of morals which so embarrasses us nowadays are not a whim of the times, but a consequence of faulty education and ought to stir us toward an educational Reform.

The subjects of instruction are means and not ends. We teach the Bible not for its own sake but for the purpose of the child's moral future.

We teach Judaism not to uphold it, but to uphold our childhood in it. We teach the catechism not to achieve another victory of fine academic logic and to prove Judaism afresh to a new generation of admirers and assenters, but to set young men and women aright on the path of life under God's law and men's institutions. And we teach that they may be able to adjust themselves to conditions not eventually but at once. The pupil now in the class room and now wrestling with his difficulties needs guidance and help. Children do not come to us for future things but for present help. If we help them in their growth, they will be able to help themselves later on. There are moral problems in every class room, and we cannot afford to leave them unsolved and to dismiss the children unenlightened and undirected. If we do leave them so, we shall have a sorry compensation for our neglect. The teacher should fling his book aside and look into the eyes of his pupils. He should face the teeming, anxious life that faces him.

There is a tyranny of subjects in our schools which is appalling. And there is a blindness to the actualities which is even more appalling. It would almost seem as if the Course of Study were everything and children's souls were nothing. And we work for tomorrow rather than for today, for a Judaism to be, while the real Judaism is all the while in front of us. All because we cannot disabuse ourselves of the theological aspect of religion and cannot enter, as we should, upon the vital aspect of it. It is high time that we bend down to childhood and sympathize with it. The textbook is dead unless it is meant for a child and it is still worse than dead if it is meant as over against the child. The textbook stands for life, the exemplary, the true, the helpful life the child shall absorb and hold. It is not a collection of theorems but a vitalizing influence. The child should feel heart-throbs in the text-book and, if possible, its own heart-throbs. The text-book is, in fact, a substitute for the living teacher. And it should also be an incarnation, as it were, of the life of the people, of those who were, as the child now is, under the stress of the Law and of Fate, and of limitations and of passions. All about the school-life of the child should be Life, real pulsating life, just as Life will be about it forever and everywhere. The religious School shares with the Public School, and with the parent, the duty toward a soul. No teacher should forget that.

It is an elementary truth that the school-room itself is life. It offers all the opportunities of give and take, of moral relations and of social contact. It is the large world on a small scale; in it individuals are apart, and individuals act in co-operation; there are agreements and dis-

agreements, moral conflicts and moral issues, in short human nature reaching out in all seriousness and in all directions. This genuine, teeming life appeals to us for guidance and for help, but we have not responded to it. We have failed to see that we are dealing with intense life and have not recognized it as at all entitled to attention. We have been looking over the heads of the children in front of us and have been thinking of an abstract Judaism and an abstract Jewish people. But what would we not have gained for the future, if we had secured the present! The children crave to live their lives, and they have a right to demand that we help them. To enable them to see the things of the world which are new to them, to see these as they are, to understand them, to value them, to relate them to their own being, to help the children appreciate the moral significance of things and persons and whatever comes and goes in their lives, that is education, religious training. But our teaching has been academic not personal and we have not been near to childhood, and we have felt (let us confess) a disdain to go down to the level of the child. In the first place, childhood too is sacred and, in the second place, nothing is more fatal to a teacher and the pupil than aloofness. So it has come that we have been doing the work of Sisyphus: we have always had our greatest difficulty with the generation that has just grown up and has just come out of the schools. The reason is obvious. We had done nothing for them, and had neglected them. We had aimed over their heads and their hearts, for something in the distance. But our plain duty is to serve those who need us, and to afford to them opportunity for normal growth while they were in their freshest and most susceptible condition. If we had only attended to our young in each generation, we could have been surer of them and of ourselves; but we have tended every vineyard, and our own vineyard we have not taken care of! Every school room presents our finest opportunity and our most unadjoinable duty.

I do not mean this in a pastoral sense, as if we were to take a personal interest in children out of graciousness and a certain sympathy with their weaknesses. I mean it from the point of view of the psychologist, who respects growing childhood as much as the matured adult. Every "article of faith", every phase of "belief", every virtue (and every vice) begins humbly, begins subtly. The conviction that God is, is not a "revelation" from the very beginning; it dawns upon the child-soul in the dim haze and emerges slowly into the light. A virtue does not come to be at once, at birth, which we need merely call out; it emerges only after many foils and passes with the world, even in the child-world.

There are intellectual conceptions and ethical ways which arise only at certain child-epochs, and we must wait for them till Nature please (as Love in the "Song of Songs"). At first the child is busy with itself, it cannot attach itself to others, except when such attachment secures advantages: friendship is then ephemeral and capricious; and the social virtues, such as charity and even justice (in the reciprocal sense), cannot lodge until the "social" sense has awakened. We often make demands upon the soul of the child, which we would not make upon its body; we expect moral capacities it does not yet possess and a religion for which it has neither adequate instincts nor powers. Strange, we are conscious of the law and the fact of development everywhere, except in the spiritual (the religious and the moral) life of the child; here we still adhere, merely because we have not thought out the matter, to a kind of theological child-psychology and ignore the facts. The child is not full-caparisoned already at birth and it passes through stages of growth in its soul-life just as much as it does through stages of its physical self. In fact, the two sides of its being go parallel and childhood is different from youth and youth differs from manhood and womanhood; they differ from one another not in degree but in kind, and each period, distinct in itself, is a natural and a necessary preparation for the subsequent period. The God of the child is different from the God of youth, just as He is another for the ripened man and woman. He is another Being, more moral, more absolute, more "true" and less the sublimated projection of idealism. But the child's God, the splendid fancy of childhood, is an essential contribution to the later adult's God, without which the latter would be at best abstruse metaphysics and lack that warmth and genuineness which make the God my God.

The fact is that the Law of Development which obtains everywhere, applies also in child-life. Here too there is a steady making for maturization. But the steps are slow and almost intangible. Into the full and rich sense of God in the World which comes to the soul when character is complete mound many streams from many sources. So also many and diverse influences go into the make of character; it is gotten by life-work and not by intuition and is the final cumulative fact of our being.

There is a period when every child is a pagan, the Jewish no less than every other. This is no disparagement nor indictment but a fact of life. And life builds with material of its own making. Out of this child-paganism comes later the power to "see" God and to "love" Him and to reach up to Him with personal power. It is not to be wondered at that the Jewish child begins with this crudeness, but rather that it is

so normal in its beginnings, recollecting, as we must, that centuries of "monotheism" have gone into Israel. Nature is stronger than theology, and better and wiser; that is what we may learn from science. There is a time when the sense of dependence is central in the moral life of the child, reasonably enough; then child-morality moves within this restriction. But this moral restriction (for it means that the child is domestic and its loyalties are for the kindred only) paves the way for loyalties of a broader kind, and at a later period of life it transmutes them into patriotism, into solidarity and into those deep-felt voluntary allegiances which are the highest strength of man. We grumble at the "individualism" of the Jew, though we ought really be gratified with it, for out of it comes his moral personality and his capacity to do things; the world finds fault with it, but it should thank him for it, for that individualism has made for the Jew the genius he has in every direction of culture. Individualism is at the base of religiousness and of right morality. In religion, the very thought of God is the sublimation of individualism, and in ethics right conduct is unthinkable without a pronounced sense of self and a clear realization of responsibility. Is it not worth while to listen to the first throbs of this individualism in the child and to chasten and enlighten it? Is this timely attendance upon the awakenings of religion and morals not rightly educational?

The genetic view of life has entered into the domain of science. Everything grows, we say nowadays, just as in ancient Greece they said, "everything flows". All things, all life, in the past up to our very day and beyond our day for all time to come, the restless life of the world will go on and strive to adjust itself to the conditions as they come and change. There is only one kind of struggle and that is the struggle to sustain, or rather to maintain oneself. Every organ has been thrust out by the body in the history of the racial life as a feeler against danger and as an instrument of defense; every "faculty" of our soul and every virtue are, after all has been said about them by psychology and by ethics, nothing else than the best means man has devised by which his life-hunger is stilled. This does not lower their intrinsic merit, but rather exalts it. For thus they are seen in the light of universals and their significance is divine; they maintain the All-Life in man and work in league with God. Even Religion itself is behind our morality to make it intense and give it a high meaning and an irresistible power. The "belief" in God is the final and the highest achievement of man and makes his uplift to God not merely an ideal but also a passion. All this is clear and is part of our modern ways of thinking,

everywhere except in the mind of the teacher. He still talks of virtue and vice in the old terms; to him life is at a standstill and man must learn and absorb and obey and fulfil the law; he has no thought of divinely endowed freedom and of equally divine growth. The child, however, does not represent the end of the race, but, the beginning of it, as it were, for the race is forever beginning afresh and striving to transcend its limits. There is an eternal longing of man up toward the highest, the holiest, the divinest. If we want to know what God is, let us look at man, into man, and if we want to know how much more closely we shall some day know God, how much nearer we shall be to Him (for every virtue brings us near to Him) then recollect the progress man is making. The progress is persistent toward finer capacities, and mankind is becoming more moral and more religious just because Life is selecting better means to help and advance itself. The teacher will never be the minister to child-souls unless he appreciates the wonderful History of Man they represent and the Ascent of Man they guarantee.

It may be that other religions are not ready to accept what science has posited; but Judaism is ready for it. In fact, ours has been the sub-conscious sense of all life, of man's direct relation to God, of man's co-operation with Him, of the unlimited progress to which man is destined. This aspect of the divinity in all things and in all life accounts for the optimism of the Jew and for his undeterred devotion to his religious ideals. For him religion and science tally; they not only say the same things but their declarations are equally authoritative. And in these days when our vision is broader and our insight clearer, when worship begins to mean co-operation, by way of religion with God and by way of morals with Man, when the advance and uplift of man is the ideal of society and the task of human organisation, of the State and Statute and of the Law, we look to the teacher, whose profession is the only one still altogether public, and to the Jewish teacher especially, who is freest of all teachers, to bring the New Reformation. We Jews can afford to let science prescribe to us, and science tells us the religious life of the child advances by increments, that both the religion and the morality of the child start in humble ways and are destined to great things. It is the teacher's task to trace the progress of child-growth, and to adjust his influence upon it so that a normal development may ensue. The old method of stuffing the intellect with knowledges must go; the new method aligns teaching with every line of the child's advance toward maturity. You need only look into your Bible with fresh eyes, and you have your cue. The Book

of Genesis is an account of how civilization came to be. It answers the everlasting questions which children ask and have asked in all the history of child-curiosity, how did heaven come and the stars, and why is the rainbow in the sky, and who built the first town, and who played music for the first time and how, and who is the first smith and so on. And note, the Book gives us an account of three homes, classical and typical forever. And these homes are in an ascending scale and culminate in the most organized and the most potent. There is a moving gradation in all this which, as teachers, we ought to notice and use. And notice also the parallel phases of child-growth from the vague beginnings when the great World is a Place of Wonders, to domestic interests, domestic difficulties and domestic amenities, out of which, by subtle changes, tribal and national loyalties come. And finally note how in the typical modern child the process of moral growth follows the same lines. The limitations and the intensities of the home are followed by touch with those who are in casual relation to it, and these, in course of time, are followed by moral relations, of give and take, with strangers on terms of mutual understanding, of co-ordination, or sub-ordination, and the grades of moral values which involve co-operation and conflict. The Bible is a wonderful book, but the greatest wonder of all is that it is so modern. And the teacher can prove that.

Judaism must derive its principles for teaching from Life, from which it gets all its fundamental truths. The fact is, and we had better confess it, that we have given religions education no systematic thought. No religion has, but that does not excuse us. In these days when we are dependent upon the School more than we have ever been, it will be a calamity if we do not devote our best thought to it. We must give Jewish Pedagogy a large place in our thought and in our life, perhaps the largest. For the days of polemics are over, and the days of organisation have begun. We need not justify our beliefs, but we do need to secure our continuance. The world is coming up to us in all matters of religious conviction; but just because many are beginning to believe as we do, and the lines of theological differences are disappearing, we must foster the genius in which we have been unique, which we have trained into our souls and which constitute our individuality. The call is coming to the teacher to see to it that the next generation in Israel will not lapse into the commonplace of "liberalism", but will have a cause to live for and to live by. Jewish Pedagogy is not to be conceived in conventional ways. If we have nothing better to do for our needs than what we have been doing, we shall fail. The teacher is more than a transmitter of information, he is an influence. And he is more

than an exhorter, he is a trainer, and he is more than a trainer and disciplinarian, he is the organ of the Life. His obligation is not merely to hand over the tradition but to make that tradition live. The current class-room pedagogy is conceived in short-sightedness, while the Jewish cause demands an open eye upon the real world. We need a re-construction of the curriculum in Jewish Schools to bring it into consonance with the scientific aspect of life and the intellect and the feelings. Every teacher must be adept in child-study; he must know child-religion as much as adult-religion. For the first is his starting point and determines the goal, which is obvious enough. No teacher who does not know child-psychology should have a place in a Jewish School. Still better it would be if he knew that special phase of child-psychology which the Jewish child presents. And he should know this Jewish Child-psychology not because it would help him in personal adjustment to the children he happens to teach, but because it is the source out of which the canons of Jewish pedagogy are drawn. But scientific Jewish Pedagogy is still an ideal wish and will be that for a long while to come.

R. Moses 'Hayim Luzzato's "Path of the Righteous".

By

Emil G. Hirsch, Chicago.

Jewish literature is not poor in expositions and treatises on rules of conduct. The ethical note has often been struck by noted authors and sustained vigorously throughout lengthy dissertations. Leaving out of consideration both the gnomic literature, whether biblical or extra-canonical, and the Haggadah-both certainly rich in ethical instruction and appeal, it is not an exaggeration to say that ethics i. e. the science and art of proper conduct, and the motives underlying it constitute the burden of Israel's learned men's preoccupation throughout. The field of the Halakhah surely was assiduously cultivated; and whatever elements may be contained therein to which modern thought might justly deny the designation of ethical, the moral implications of duty were never overlooked or neglected and had their place in the systematised digests of Rabbinical Law. Doubt and uncertainty prevail concerning the principles basic to the enumeration of the 613 Mizwoth or commandments assumed as encompassing the totality of Mosaic injunctions and prohibitions. No two catalogues of these sixhundred thirteen mandatory and restrictive commands agree. Yet none but assigns due prominence to the laws inculcating obedience to and demanding the observance of the practises which are commonly designated and distinguished as ethical. (On the 613 Mizwoth confer *Revue des Études Juives* vol. IV.) The "Mussar" מוסר literature is both extensively and intensively significant. (Confer among others Zunz *Zur Literatur und Geschichte*.) But among the books which in one way or another are devoted to the exposition of the ethical content of Judaism they are few that aim at analysing the basic principles rather than registering and commenting the resulting practices: Ba'hya's "Hobhoth halebhobhoth" is in so far exceptional as it stands out a treatise on

the motives and concepts, the sentiments underlying morally and religiously consecrated conduct. Ba'hya refrains from enumerating duties in systematic or loose sequence. His ambition is to lead the student into the sanctuary of philosophical insight into the life of the soul of which conduct is after all mere sign and symbol.

Moses 'Hayim Luzzato's *מסילת ישרים* while not quite as elaborate as the work of Ba'hya, must be assigned a place at its side. It, too, attempts to throw light on the foundations rather than on the facts of consecrated conduct. It is oriented toward philosophy much more intently than toward practice. Sound comprehension of the ends at which moral conduct aims is its important solicitude. Practice is seen to be the outflow of principle, conduct the offspring of conviction.

This "atmosphere" of the booklet should win for it more than perfunctory registration in columns of catalogues only freighted with bibliographical and biographical data. The fact certainly is not without significance that the volume found quick favour in Israel from the very first of its publication and even at this day is widely read by the Jews of Eastern Europe and their kinsmen in America.

The author's life-story, full of pathetic trials, need not be rehearsed here. For the purposes of this study of his opusculum, it suffices to remember that he was of Italian birth, a son of the former half of the eighteenth century. Conversant not only with Biblical and Rabbinic literature, but also with Latin, Greek, and Italian, by temperament rather than by education was he led to accept the viewpoint of the Kabbalists or Mystics. "Practical" compliance with the requirements of the Rabbinical codes did not satisfy the cravings of his soul. The "Kabbalah" notwithstanding its exuberances and extravagances appealed not only to his imagination but held out the promise of satisfying his yearning for "religion". A poet he — as is attested by his "praise of the Righteous" *לישרים תהלה* — he was drawn to the study of the Zohar, and he willingly paid the price for daring to stray into paths deemed perilous and declared forbidden by the men in authority. Driven into exile, he found refuge in Amsterdam and freedom from persecution. Here in addition to smaller works devoted among other things to the exposition of the fundamentals of Judaism and of the Kabbalah (in his *מאמר העקר* and *מאמר החכמה* respectively) he composed the two works destined to assure him lasting fame as one of the gifted singers of modern time in the tongue of ancient Israel and as one of Judaism's competent thinkers impelled to reason out his faith by the passionate desire to attain unto perfect piety (*הסידור*).

It is inconsequential for the correct valuation of the "path of the Righteous" to decide whether Moses 'Hayim Luzzato was an orthodox adherent of the Kabbalah accepting its speculative tenets without reservation, or was moved by the purpose to "reform" its teachings by systematising them in such a way and to such an extent as to harmonise them more fully with reason and faith as interpreted by Judaism alike. Of modern scholars, Samuel David Luzzato, by no means a follower of the Kabbalah contends with much warmth for the latter construction. The co-temporaries of Moses 'Hayim failed, however, to recognise these reformatory tendencies and intentions in the Kabbalistic studies. They forced him to abandon them and exacted from him the recanting of his acceptance of Kabbalistic doctrine. If any other reason for Moses 'Hayim's predisposition for Mystic speculation than his poetic temperament must be looked for, disgust at the mechanical ritualism which in his days counterfeited genuine religiosity offers the explanation. His "Path of the Righteous" indicates this clearly enough. (See below.) Like Jehuda ha-Levi and Na'hmanides — fellow mystics of his — our Moses 'Hayim was consumed by an all absorbing love for the "holy land". Like his, if greater yet withal fellow singer, he wandered forth to make the land of the Fathers his home only to die ere his life's sun had begun to hie him on toward evening. (Born at Padua 1707, he died a victim of the Plague at Acco in 1747.)

That in his *מסילת ישרים* he had by no means succeeded in writing an exhaustive treatise on the philosophy of piety and conduct and attitude leading to its attainment, Luzzato does not disguise. In the epilog he is free to confess that "I have not completely covered in this my book all the laws of piety. Nor have I adduced all that might have been said about this theme. For the matter is inexhaustible; and meditative research and pondering (of its contents) never may hope to touch the final goal. — — — Each man must travel his own road, according to the occupation in which he is engaged. The road of piety befitting the man whose occupation is the study of the Law differs from that which he must take who hires himself out to do the work of another, and this in turn is not that over which the merchant must travel." This confession reveals that it is the primary intention of the author to point out how the "student" may arrive at perfection in piety. From the very inception of the work, it was planned not so much to meet the needs of the common run of men distracted by their occupations as to encourage a distinct and rare class of whom Luzzato strove to be one, the men dedicated to study in the Law, who yearned to attain the

blessed state of the חסיד the "saint". For the others, the glory of the צדיק the just and upright spelled the satisfying degree of moral soundness. The book may thus be said to be the spiritual autobiography of the writer himself, a revelation of the aims that impelled him, a confession of the yearnings that filled his soul: — An intensely human document much more than a calm academic disquisition.

The reflection of Kabbalistic speculation is clearly patent in this differentiating of the Hassid from the Zadik, though traces of such setting aside of the former from and above the latter are unmistakable as early as the "Hassidaic" psalms. The suggestion is perhaps admissible, that stoic exaltation of the "wise" man as the ideal man was not without importance among the influences tending to develop the distinguishing of the Hassid from the mere Zadik in the direction and to the degree gradually emphasised in the Kabbalah. If the fear of God was the beginning of all wisdom, the equivalent of the "pious" man and the "wise" man is easily understood. Jewish Mysticism further more was not altogether indigenous to the soil of Judaism. Christian Gnosticism does not merely run in parallel lines to it. Both movements interact. Later Christian and Mohammedan mysticism and religiosity again impressed if not the thinking, at all events the feeling of Jewish aspirants for the glory of sainthood. It is not too bold a claim that the fact of Luzzato's birth and rearing in Catholic Italy has had a share in his emphasising Hassiduth over and against Zidkuth. Catholic theology developing St. Augustine's Paulinianism put on the highest pedestal the cloistered saint. Luzzato drawing the lines between the men absorbed by practical preoccupations, and him whose חוררו אומנותו "studying is his sole art and work" comes very near adjusting himself to Catholic notions.

But withal, his conception of the pious man's character and the means within man's reach to attain unto his perfection is essentially other than that advanced by Christian mystics. He aims to make of piety a theme of research. He strives to be one of the few who would fathom the depths of such concepts as Reverence, Love "Dedication to God and other component elements of Piety". Study such as he would pursue in this field is not tantamount with booklearning. He deplores that the reading of books on this subject is left to such as are less richly gifted with intelligence so that the name "pious" is almost equivalent to implying that he who wears it is dull of comprehension. In consequence genuine piety is not to be found anywhere; 'not among the learned for they begrudge the time which such study would

require, not among the illiterate, for they are without the intelligence needful therefore. According to current opinion, piety consists in and may be acquired by the reciting of many psalms, by prolonging the confessing of one's sins (the וְדָוָה), by fasting voluntarily on days not set aside for fasting; by taking ritual baths in winter when the water is frozen stiff. Common sense naturally rebels at mistaking these things for piety. But genuine piety which is acceptable in the sight of God is not easily understood and grasped.

On these disquieting observations Luzzato proceeds in his preface to ground his theory and admonition that true piety is attainable only when the persistent effort is made to acquire it. In this, Luzzato parts company with non-Jewish theologians. Paul and his close second St. Augustine positing the depravity of human nature, deny logically to man the faculty of winning of his own volition and effort the crown of piety. The grace of God alone enables him or the chosen of his kind to possess himself of goodness. Even elementary goodness is an unmerited gift granted man from without and above. Soundly and strongly Jewish for all his quest for world-forgetting and world-free "Hassiduth", our guide brings into strong relief the truth that human effort, not the capricious grace of God, is the decisive factor.

Nor is true piety a matter of naive unenlightened ignorance. Knowledge, study, inquiry, are prerequisites even to the planting within our hearts the love of God. Every human being is predisposed toward goodness and piety. But while the seed is within us, the fruit will grow only when duly fostered and watched.

The study of the essence of piety and the ways to attain it, our author holds to be infinitely more profitable and urgent than pilpulistic discussions which lead to no result and the occupation with Dinim דִּינִים which have no bearing on our lives. "Moses our great Master" — writes Luzzato summing up the gist of his prefatory remarks — "has taught us this when he asks (Deut. X, 12): And now oh Israel what doeth the Eternal, thy God, require of Thee, but to fear the Eternal, thy God, to walk in all His ways, and to love Him. etc." This declaration enumerates in detail the component factors which together constitute the perfect service acceptable unto God. And to similar effect, if in different order a Baraitha, often quoted, giving the ethical theories of Rabbi Pin'has ben Jair, enlarges upon the thought contained in the Deuteronomic verses, and systematising its implications sets them forth in organic sequence. "Torah first, then attention solicitude which issues in zeal. This in turn fosters cleanliness which produces the temper of restraint.

Restraint fathers purity and it leads on to piety. But piety induces humility which begets the fear of sin and this finally opens the gateway to holiness." Our author sets about in his book at the hand of this Tannaïtic graduated genealog yof the fundamental virtues to expose both the psychology and practice of the life which is aspiring after piety and holiness.

That the Tanna's catalog of the radical virtues was widely known and favoritely accepted is attested by the frequency with which it is quoted, though the various versions do agree neither in phraseology nor in the order assigned the hierarchical excellencies. (Compare Mishnah Sotah IX. Jer. Sabbath 3. c. Jer. Shekalim 47. c.; Midrash Rabba to Shir verse I. 1. B. Adhodah Zarah 20 b.) Luzzato prefers the version given by Babylonian Abhodah Zarah, in which *והירות* (attentive care) and *וריוור* (zeal, ardor) are differentiated. Strange to say, Luzzato links R. Pin'has' saying to a Biblical passage other than that adduced by tradition as the supporting text, viz. Deuteronomy XXIII, 10 (see also Bab. Kethubhoth 46 a).

As a methodological crutch R. Pin'has' decade of interdependent virtues certainly stood our author in good stead. Still, the plan adopted was not without disadvantages. It restricted for all its seeming logical compulsion the writer to a route traced beforehand. Closer analysis reveals that R. Pin'has' genealogy is not without serious flaws; and our author is often enough compelled to strain the meaning of his guide's terms in order to summarise under the caption his own thought. If he chose to hang his own demonstration on the peg of the Tanna's words, he — it is not unlikely — was impelled to adopt this plan by a feeling of spiritual kinship with the teacher whose observation he used for his support.

R. Pin'has has survived in popular fancy as the man of sturdy independence and unbending scrupulousness in the observance of the details of the Law. (Hullin 7. b. jer. Demai 21 d. 22 a. jer. Shekalim 48. c.) His eminent piety conferred on him the power to work miracles in even greater degree than had been the privilege of Moses (jer. Demai I, 3). Piety not learning had distinguished this teacher and secured for him undying fame. According to his own testimony, in his generation, true learning was despised and neglected, men of good conduct were held in no esteem, — traits which Luzzato finds to a certain extent also in the physiognomy of his day. Moreover Pin'has traced all evil back to the pernicious presence and activity of *יצר הרע* (in connection with Isaiah. XLVI, 4; Midrash to ps. XXXII, compare Jer. Ta'anith 66. c.) a theory not unlike that propounded by Luzzato himself. More

strongly than any considerations of the methodological advantages offered by adhering closely to the scheme of R. Pin'has' "chain of virtues" the thought of the Rabbi's own character and his value as an exemplar of piety as distinct from erudition must have influenced our Moses 'Hayim choice of his "leading" saying.

The first rung of the ladder leading up to קדושה holiness at the top is Torah. It is plain that in this context, this term does not connote the Pentateuch. At least Luzzato does not revert even to his quotation from Deuteronomy X which might be supposed to be the "Torah" from which all successive acquisitions and advances in good conduct and motive are derivatives. Neither does he cite the verse from Deut. XXIII, 10 which (see above) serves traditionally as the locus classicus in connection with the theme. In fact, in his first chapter he makes no mention of תורה as the first of the links in his chain of virtues. But by implication, the fundamental תורה is "knowledge" and that of a very definite kind and on a very definite matter.

Preliminary to all righteousness and the very fountain from which alone it may be expected to issue is the recognition of the true purpose and intent of human existence. Luzzato in emphasising this point marks himself a clear thinker. "The foundation of the foundations and the root of perfect service (i. e. conduct) is the clear and strong conception of what be man's obligation in this world of which he in all his thinking and doing shall not lose sight." (Chapter I. opening sentence.) The terminology is as characteristic as is the thought. The term חובה is employed to connote the "purpose" of man's life. The use of this noun in this sense is not accidental. It may be in imitation of Ba'hya's חובות הלבבות "obligations, debts" of the heart. In Talmudic usage חובה names that which, by law, one is obligated to pay or do. Its contrary is רשות that which is left to one's free choice and decision. The pregnant word employed by Luzzato at once posits the emphasis that to man's life and work there is purpose. This purpose is not dependent upon man's free decision but is an obligation which to discharge is incumbent on man.

This purpose is identified with the summum bonum. While this is not set forth in set phrases it is clearly implied in the answer given to the query concerning the חובה or purpose of man's work and striving in בעולמו 'his' world. The terminology indicates this in very subtle fashion. The answer runs as follows: "Mark what our sages have taught us: Man was created only that he should delight in God and derive sustaining pleasure (ליתנות) from the splendor of the divine Shekhinah;

for this is the true delight and pleasure greater than all other pleasures that may be found." For "pleasure" the word עֵדֶן is used, clearly an assonance of the Greek ἡδονή.

That this chief good or delight is beyond the reach of mortal man, is clear. Our book admitting this makes the most of the fact. Its ethics is oriented toward the other-world and in so far is under the dominancy of mysticism. For its attitude there is good precedent in some teachings of certain of the Rabbis. While not quoting in full the Rabbinical description of the state of the Righteous in the world to be which constitutes for our author the summum bonum and therefore the aim of life — Berakhoth 17 a — he cites as supporting his contention the saying of Jacob (Abhoth IV. 16. comp. Koheleth Rabba to IV. 6; Lev. R. § 3) according to which this world is the ante-chamber, the world to come the great inner hall (the triclinium).

The fundamental distinction between Jewish Mysticism and that of Christian origin is strongly marked in the position taken by our author. Union or re-union of man with God, the merging of human personality in that of God is the goal in which the Christian mystic's hopes and aspirations centre. Prayer, fasting, the castigating of the flesh are means to this end. Even in this mortal state this beatitude is not absolute impossibility. — For the Jew, Moses Hayim Luzzato, not the merger of the human with the divine is the final aim. Man and God remain distinct. The contemplation of God — not the merging in Him of man — is the bliss which awaits in the world to come them who have kept faithfully to the purpose and obligation of life. Yet, this element of other-worldliness is not the dominant of the Jewish construction of life's meaning. Biblical Judaism is singularly free of it. Had his mysticism and perhaps his unconscious assimilation of Catholic doctrine been less strong, his definition of man's purpose would have taken account of Genesis' emphatic declaration that man was created to "have dominion over the earth". But mystic as he was, he neglects to consult the Torah and turns for his fundamental data to the casual references found in Rabbinical books to the blissful and contemplative state of the truly pious in the "Olam haba". עולם הבא. Withal, he does not commend ascetic practices (see above).

This world being for preparation, the "Mizwoth" are the means by which man is enabled to arrive at the ultimate goal. "To cling unto God" is for man the highest of perfections as David confesses (Psalm LXXIII, 23 and XXIV, 4). But being a dweller on earth by divine decree, he is exposed to many influences that estrange him from God.

Notable among these are bodily appetites and sensual affections. He has to wage incessant war; for whatever good or evil is meted out to him spells temptation and testing trial. In like manner fortune and sorrow and suffering are besetting him on all sides. But if he wins the victory in this contest, his will be the happiness and bliss to belong entirely to his Creator. Perfection is his. And his joy will be proportionate to the effort it cost him to master his passions.

In fact this world has its own purpose in man. Upon human conduct depends the fate of the world. If man draws away from God and the God-like, he corrupts himself and his corruption involves and vitiates the world. But if he masters himself, utilising the world only as a means to serve the Creator, he rises higher and higher and with him also the world. The anti-Paulinian note rings clear in this declaration. Master of the world man holds in his own hands his and the world's fate. Neither the Christian dogmatist's contention that man is in bondage to the world unless he reject the world, nor the determinism of modern materialism is acceptable. For all his "other-worldliness" based in the next paragraph on the brevity and the tribulations of man's stay on earth, Luzzato recognizes that this world as a means is of vital value and that because man has therein the power of the making himself and it over. Soul and world are distinct. The former is of so exalted a rank as to outlast even the angels. It has no pleasure in the joys of this life. Therefore its permanent home cannot be this world. It was breathed into man to enable man to attain his true reward in his true world.

Interesting as is this argumentation of our author, it is certainly not remarkable for clearness. His dualistic distinction of world and soul leaves one in doubt concerning man's own nature. Is he distinct from the soul or does the soul constitute his essential personality? The passage throws no light on the question. But it is clear that the writer meant to lay the stress on the phrase *אל נשמך* as in protest against the asceticism of Church Pietism.

The practical and mediate purpose of human existence as distinguished from the ultimate and absolute is observance of the Mizwoth and service and endurance in trial and temptation. Such enjoyment of the world alone is meet as aids and strengthens man and engenders quietude of spirit and composure of mind enabling him to direct his heart favorably to the service which is laid on him. Whatever his occupation and work, every act of his should bring him near unto God and break down the barriers separating him from his Maker. In this yearning for ever closer approach unto God and ever more complete removal of what tends to

increase the distance between Him and us, it is incumbent on us to ascend in continuous labour from one rung to the next following. The knowledge of our true destiny must as its first step lead to *זהירות* caution, watchfulness.

In elaborating his ideas on this point, the author indicates that under this term he understands conscience under the control of common sense. *Zehîruth* is in fact the exact equivalent of *σοφιστική*, the critical caution which examining every single act also takes account of the sum total of one's deeds. (Chapter III.) The expression *כלל מעשין* corresponds to our word "disposition" or character. What, however, be the distinguishing criteria of good and evil, the readers are not told except in a general way. Good seems to be that which is approved of by man's reason and insight. The failure of so many to exercise the proper degree of watchfulness in judging their habits and qualities as well as their actions and in eliminating their sins, is due in part to the nature of this world. It has well been likened by the Rabbis to the night. (B. B. 78 b.) Living in this "night" we cannot detect the obstacles in our way which make us fall. Fools walk on and come to grief and that because they cherish a false sense of security. But what is even more perilous is that owing to this "darkness" the heedless are brought to confound good and evil. They would justify their perverse course. The similes introduced at this point to visualise the thought are of happy selection. Luzzato urges men to adopt the method of the merchant who carefully keeps books. He illustrates the fate of the foolish by the tantalising mazes then a favorite accessory to every manorial park. They who have as yet not acquired control over their "Yetzer" *יצר* appetites and affections, their "natural" impulses are walking in a labyrinth, unable to distinguish between the paths. It is meet that we should listen to the counsel of such as have found the right path leading out of the maze.

The foregoing will suffice to point out both the strength and the weakness of Luzzato's method. He is not so much a philosopher as he is a pedagogue. His are the aims of the preacher and exhorter rather than the intentions of the close reasoner. If in the main he is free from and even at times positively antagonistic to Christian dogmatic assumptions (see above) yet in charging the delinquencies of the "unwatchful" to the nature of "this" world, he comes close to the thesis of the Church, though as his quotations show of precedents in Rabbinical sayings there is no dearth. The "Yetzer ha-ra" *יצר הרע* with him as with the Rabbis explains the moral failures and weaknesses of the sons of men. To this antagonist must be laid the baneful trickery which life plays on the unwary,

the insufficiently circumspect. Thus it is this "inclination toward evil" which whirls men round and round in hurry and haste of occupation and robs them of time and leisure to bethink themselves of their ways. It burdens and overburdens them with work (Chapter II) as did Pharaoh the Israelites.

The treatment of this "Yetzer ha-ra" throughout the book is delightfully vague. In Catholic presentments of man's moral imperfections, Satan, a real definite personality, holds the key to the situation. The Church's sacraments are the efficacious means of protection against his wiles. Luzzato is for all his mystic leanings too sound a Jew to go this length. Yet, considerable influence is ascribed to this power the *יצר הרע* which is more than impulse and yet less than personality. But then the Rabbinical observations on this mooted matter are equally hazy and indefinite. Passages are at hand supporting the contention that in the opinions of the Rabbis the two Yetzarim were regarded as mere instinctive impulses though susceptible of growing into fixed and masterful habits. F. i. Sukkah 52 b; Bereshith Rabba § 22. Sabbath 105 b; Niddah 13 b; jer. Sabbath XIV; Ber. Rabba § 61; Sanhedrin 91 b; Abhoth R. Nathan § 16; Berakhoth 5 a and others. On the other hand, almost as numerous are the passages seemingly confirming the suspicion that the Rabbis ascribed independent existence and personality to evil. F. i. Sukkah 52 b; B. B. 87 a; Kiddushin 81 b; Tan'hum to 'Hukkoth. But for all this vagueness, some Rabbis were not without the profounder comprehension that "evil is good in the making". This underlies their stories concerning the fatal results brought about by the captivity of the Yetzer ha-ra' Yoma 69 b; Berakhoth 89 a. Abhodah Zarah 5 a. Only in the world to come will God put an end to this Yetzer Sukkah 52 a.

Of the "stimulating" function of "evil" Luzzato makes no account. With him, the Yetzer ha-ra' contrives to make men heedless. The "means of grace" — one is tempted to write, for him are first the study of the Torah; i. e. one desirous to be watchful will endeavour to remember the importance and gravity of the service which man is obligated to render and the depth of the penalty consequent upon its neglect. (Chapters I—V.) Both Biblical narratives and reflection on the admonitions of the wise men will impress this lesson upon men's mind. According their differing nature men will be affected differently. Those on the highest altitude are moved to watchfulness by the consideration that perfection is the only goal and good worth while striving for and that the greatest evil is having reached this goal or good only approximately and partially or even not at all. They are knowing that the helps to attain unto perfection are good

deeds and noble qualities מדות in the sense in which the term occurs in the injunction הלך אחר מדותיו שלא הק"בה (Sotah 14 a) will not make light of these means nor try to reduce their number. They will pile means on means in order to attain unto perfection, and will always be on their guard lest one or the other needful thing be neglected. Even when on the highest rung, on this ladder leading to perfection, they will not become careless, but will be mindful of the possibility of a little dustspeck of sin marring their precious perfection. Those of meaner clay must be stimulated by arousing their ambition. In the world to come rank will be assigned according to merit. It is not sufficient to be among them that escape Gehenna or to be content to secure a little place in Gan Eden. In this world even men dislike being outclassed. Shall they not be made to understand how keen will be their regret in the next world when they are outranked by others? Their modesty is a hollow pretense to mask their disinclination seriously to discharge their religious obligation. Finally the man of average quality will be brought to seek the right way through hope of reward and fear of punishment. Let him bethink himself of the final judgment and he will know how to have heed of the great and of the small things. God's unfailing retributive judgment Luzzato illustrates by incidents in the lives of Abraham, Jacob, Joseph, David, and other Biblical heroes. But what about God's Love? God's love is the pillar of the world. Were justice alone and untempered by love the dominant force, sinners would be punished immediately after the crime or sin and then to the full extent of the divine resentment; nor could sin ever be atoned for. God's Love modifies this threefold connection of sin and punishment. It grants the offender a respite for repentance; change of heart is accepted as equivalent of change of deed. And thirdly by imputing to the deed the subsequent change of volition in the doer, who has truly repented, the sinful loathsome act is accounted as of non-effect. God's mercy modifies the punishment. In fact the shame and grief felt by the repentant sinner, are to be viewed as equalising compensations and requirements.

The preceding brief outline of our author's argument documents his penetrating keenness as a psychologist. It brings into strong light his opposition to Paulinian and Augustinian doctrines concerning justice and love. Notwithstanding the essential other-worldliness of his viewpoint, and the mystic vagueness of many of his propositions, two points stand out in sharp definiteness in this presentation: (1) The doctrine of vicarious atonement is not advanced and (2) the power to activate God's love as overbalancing God's justice is inherent in man himself.

In the fifth chapter the discussion is about the things which hinder the free activity of "watchfulness" and the ways of protecting oneself against them. Three chief agencies of interfering scope and effect are named (1) absorption by multitudinous occupation. Of this there had been speech before. Study of the Torah is the most efficacious antidote. (Conf. Abhoth IV. 12; ib. 6.) The Torah was created to offset and undo the dominancy of the "evil inclination" (Kid. 30 b). Of course, men cannot neglect their business and the affairs of this world. But every one should set aside fixed hours for the study of the Torah. Ignorance is invitation to impiety. And men should also set aside hours for self-examination and introspection. Such precious hours must not be fritted away. The second interference derives from levity and the scoffing mood. Levity pursues the very opposite method of that which is characteristic of watchfulness. While the latter concentrates attention on one matter, the former dissipates it to the extent that no thought is possible of serious things and the fear of God however faint will not stir in the heart. The scoffing mood acts in its effects like oil on the shield from which all arrows drop without piercing as much as the coating. Admonition and appeal glide off not because sense and reason are lacking but because the "oil" on the shield prevents the arrows from doing effective work. But for the scoffers seven judgments are prepared (Prov. XIX. 29). They who reflect and read books of admonition on conduct, are moved to repentance even before bodily pain reminds them of their wrong doing. Not so the scoffers. They must be brought to time by physical pain. And they are, even unto destruction. (Abhodah Zarah 18 b.) The third obstacle is evil company, association with corrupt and stupid men. We should avoid intercourse with men that are not conducting themselves humanly. When we cannot avoid them, we should not mind their feelings. Like the Prophet we should set our face against them, hard as flint. (Isaiah L. 7.)

Of the other chapters, a briefer summary will answer the purpose of this paper which was meant to set forth the method as well as the matter of this treatise with such comment on the underlying conceptions of our author as would bring into view his mystic other-worldliness on the one hand and on the other the differences between his mysticism and that of the regnant Church.

"Watchfulness" is essentially negative. It must be supplemented and complemented by זריזות = energetic zeal. Indolence is the great obstacle placed by the Yetzer ha-ra' in the way of זריזות. In this, Luzzato once more attests his power as a keen psychologist.

Zeal is rooted in reflection on and the knowledge of the importance of the Mizwoth and in the consciousness of the obligation incumbent upon man as the beneficiary for God's bounty. Excessive fear is fatal to energy just as is love of ease. Both extremes are to be avoided. (Chapters VI—IX.)

Watchfulness aims at preventing the commission of plainly reprehensible sins universally condemned as such. Yet mere watchfulness is insufficient to assure such domination over ourselves as to escape the temptation to consider as permitted all acts which are not plainly and clearly accounted wrongful. Every trace and influence of passion must be blotted out and resisted. When this is accomplished, the next highest degree is attained viz. that of נְקִיּוּת purity. On this station, faculty to distinguish most minutely between sin and its opposite is so well developed that even the things bordering to the least extent on the sinful and evil are detected and rejected and detested. (Chapter X.)

In connection with this in the XIth chapter an extended but by no means coherent exposition is given of the shortcomings and transgressions men are most likely to commit. These are as numerous as are the ramifications of the 365 prohibitory injunctions = שְׁס"ה מִצְוֹת (לֹא רָעָשָׁה). The Yetzer ha-ra' has his hand in every sin but there are sins to which this yetzer urges us more insistently. To resist them requires stronger will power. Among the delinquencies enumerated at length are those perpetrated against property rights. Both the grosser ones and the more subtle ones such as usury; then those against sexual chastity by look and word and act. He discourses on the dietary laws, charging their violation to lust or to the desire to escape financial loss. Uncleanliness of heart and soul — according to Siphra to Lev. XI. 43. is the direct effect of the violation of the laws concerning Terephah and Tame food. His theory is based on curious physiology. It is that of primitive tribes. He contends that unclean flesh introduced into the body is absorbed with its uncleanness by the recipient body. (Compare Isaac Arama, Akeda, porta 26; R. Be'hai b. Asher on the prohibition of Basar we'halabh; Na'hmanides to Lev. XVII, 11; Aben Ezra Lev. XI, 43.) There is mysterious virtue in the scrupulous differentiation of Kashar and Terephah as insisted on by the Rabbis; "a hair's breadth is of vital moment (Siphra. to Lev. XI. 47)".

"Whoever has retained a mere modicum of reason in his brain will look upon forbidden food as poisoned." And against poison sensible persons are on their guard. — Next in order, such weaknesses as result from social intercourse are analysed; among them pride, anger, envy,

concupiscence; the reprehensibility of many despicable yet seemingly innocent infractions of the social compact is brought to emphasis such as verbal unkindness (Injury and insult through word of mouth; poor advice; calumny and malicious gossip; swearing; the lying habit of which the book adduces with considerable psychological acumen a rich variety; "Hillul ha-Shem" in its various degrees, and the keeping of Sabbath and holy days). Sentiment and motive however are to be pure, not merely action. His skill in handling such unattractive subjects marks our writer as an eminent preacher and pedagogue. With apt quotations from Bible and Talmud he drives his arrow home. That intensive and extensive study of the sacred books is the most effective aid to win the virtue of "נקיית" is the assurance in which this most elaborate chapter culminates.

The watchful energetic Naki is entitled to deem himself a Zaddik. But higher than he is the חסיד the saint. His standard is so rigorous that few among the צדיקים 'just' may hope to square their life with it. But according to our book, it is not necessary nor is it grounded in the nature of things that all men be "saints". His is the aristocratic theory, which might also be denominated that of election. Enough for him that a few of the many aspire after and attain unto sainthood, by dint of self-discipline. Sainthood even for these chosen spirits is the reward of their own efforts. It is worth while calling attention to this point, not sufficiently kept in mind by recent writers on this subject of Jewish sainthood. Be it noted that the discipline leading to sainthood is by no means "ascetic" in its essentials nor "pietistic" in expression. פרישות abstinence is the first degree of this higher state. By this term, Luzzato names action and attitude of mind keyed to restricting caution even in things permitted. Especially the abstaining from permitted things when evil might result from doing that which in itself is allowed. But this must be done in keeping with the spirit and intent of the written and oral Law. Senseless asceticism is to be shunned. Abstinence is only prophylactic against the temptations to sin by which indulgences in innocent pleasure and the good cheer of this life are always beset. It is the best method to protect one's self against certain passions which under other conditions are absolutely legitimate. The Torah with the exception of Zizith and Sha'tness contains no command bearing on dress. Yet, how easy may the love of fineries lead one astray! The vain man, the Yetzer ha-ra', is sure of capturing. (Bereshith Rabba § 22, 6.)

Luzzato in order to draw the line between true abstinence and its caricature contrasts with it the foolish practices of non-Jewish ascetes

who castigating their flesh deem self-torture necessary to the winning of God's favour. Judaism warns us that self-torture is prohibited (Ta'anith 22b). This is the true rule: In things which are not needful for man and which he can do without, abstinence is advisable. But to abstain wilfully from the things which for one cause or another we need for our sustenance is violating God's will. — Personally they who would mount to the heights of sainthood should in cases of doubt always adopt the more rigorous practice, even if it rests on the opinion of only one authority. This Luzzato illustrates by citing the case of Mar Ukba who characterises himself on account of his laxer practice as "vinegar descended from wine" his father refusing to partake of cheese after meat only after the lapse of 24 hours. (Hullin 105 a.) While excess of social intercourse should be avoided, the would-be חסיד should as earnestly flee from secluding himself and his interests from other and worthy men and affairs. The virtue of abstinence may best be won by reflection on the worthlessness of carnal pleasures and earthly possessions and the knowledge that association with men intent upon the acquiring of these secondary things is apt to engender desires of similar low range.

By Teharah טהרה Luzzato understands the perfection of the innermost feelings of the heart. Thought must never be directed on pleasure. Abstinent though one be if what little one partakes of is taken for the sake of gratifying one's appetite, one is not risen to the height of true "purity". Good deeds done with ulterior and impure purpose are not "pure". Those only are who are done לשמה. They will attain this higher station who love God with all their heart; who do not merely do his explicit bidding but anticipate as it were his desire. And this "anticipatory" attitude characterises the true חסיד. He is in a positive way what the פריש is negatively. The latter abstains from the permitted; the former goes beyond the commanded. But much that passes for "piety" does not deserve the label. Much and long praying, long confessions of sins, loud weeping, deep bowing down, extravagant penance, bathing for ritual purposes in icy and frozen ponds are counterfeit semblances of piety.

"Humility" is the next higher attainment. It is a virtue only when it is associated with piety, that is when true worth remembers for all its distinction its own imperfections. Truly humble, the pious man will cultivate modesty in speech and thought and attitude, be patient and forgiving, fleeing from honours but glad to show honour to all that merit it. Consistent habit and reflection are the trusty guides to this distinction. He who in speech and action aims at modesty will soon discover that

his heart is homing humility come to abide therein of its own freedom and forever. Let man bethink himself of the lowliness of his material origin, and how easily sickness and misfortune may lay him low, of the weakness of mortal mind and the paucity of man's knowledge, even of the wisest; let him not grant audience to flatterers but give a wide berth to hypocrites, and he will be blessed with genuine humility. Modesty and humility bring one to the "fear of sin". This is the constant solicitude to keep one's actions free from all admixture of sin be it never so insignificant, of all that might be incompatible with the holiness of God's name and His exalted splendour and honour. The fear of sin is not in kind or degree identical with the fear of punishment. This is largely grounded in self-love. But another fear is that involved in reverence. The motive of keeping away from sin is the consideration of God's sublime honour. How could mortal man dare do aught against God? This reverence is not easy to master. It is acquired only by dint of earnest thinking on God's greatness and man's smallness. Fear of sin is involved in fear of God and yet is different. Both have in common the anxiety to do naught that might give offense to the Honour of God. Reverence is manifested in conduct at prayer or while performing a religious ceremony. It is also active in preventing the committal of sin just prior to the act, in so far as it prevents the falling into the sin which the actual opportunity offered in that moment seems to suggest. But fear of sin is a constant attitude of the mind. It has bearing on the present and future as well as on the past. When bearing on the past it implies searching of one's conduct and thought with a view of discovering sin unwittingly committed, like Baba, the son of Buta who offered every day an Asham Taluy (Kerithoth 25 a), and as Job's practice after the feasting of his sons brings home to us. This fear of sin *יראת חטא* is the fruitage of uninterrupted remembering that wherever we are, we are in God's presence and therefore must have a care not to do aught that might give offense to His exalted Glory.

The last crest is that of *קדושה* holiness. This is the complete devotion of man to God, the intimate and unreserved giving one's self to God so that by it even the things corporeal which the pious has to use and the animal functions are lifted unto nobility. Purity and holiness are akin yet not identical. For the "pure" *טהור*, the functions of his corporeality are a tribute to nature; they lose for him all element of impurity; yet as they are regarded as necessary evils they are not resolved into holy actions. But he who is truly holy, losing himself in complete giving himself unto God, whose soul walks with God in fullness

of love and the fear of Him and in the light of pure translucent thought and reason finds earthly life to be equivalent to walking before God in the land of life eternal. A temple, a sanctuary his earthly existence upon which rests the divine Presence of Glory. His food is a sacrifice, blessed as was sanctified in the sacrifice throughout the world whatever was of its kind.

This "holiness" is not altogether the fruitage of human effort; it partakes of the nature of a God given reward.

In this last chapter, Luzzato's mystic vein asserts itself even to the extent of almost seriously modifying the fundamental thesis of his book which is that man's efforts, not God's grace, lead to the realisation of the purpose of human existence. For the saints of the type placed on the highest summit, our day and our modern civilisation are but in a limited degree hospitable. Yet — and this is the essential point — Judaism has produced from time to time some of these elect ones and that without going out into the solitude of the convent or the wilderness where hermits love to indulge in ascetic self-torture. This brief sketch of the Jewish poet's guide unto Righteousness is offered as a slight messenger of love and esteem for one, a master in Israel, who both a חכם and a חסיד an עניו and צדיק; a נקי and a טהור has brought to many the inspiration of a life given over with זריזות and והירות to תורה, עבודה and גמילות חסדים and therefore has helped to preserve the world of truth and love and justice on its way to ever richer קדושה holiness i. e. perfection, wholeness.

Die Ehe zwischen Onkel und Nichte.

Von

Prof. Dr. Samuel Krauß, Wien.

Das Verbot, zwischen Onkel und Nichte eine Ehegemeinschaft bestehen zu lassen, galt bisher für ein karäisches; erst Schechters „Documents“ belehren uns, daß die Karäer auch in diesem Stück ein altes sadduzäisches Gesetz aufleben ließen. Nun ist es aber bekannt, daß das pharisäische oder rabbinische Judentum diese Ehe nicht nur zuläßt, sondern sogar als verdienstlich und gottgefällig hinstellt, so daß man merkt, hier müssen gar große Gegensätze obwalten, die nur im prinzipiellen Standpunkte der gegnerischen Parteien ihre Erklärung finden können.

Wir wollen nun in diesem Aufsatze erst den Standpunkt des Sadduzäismus, dann den Standpunkt des Pharisäismus an der Hand der Quellen sorgfältig prüfen, um dann im dritten Abschnitte den Versuch zu machen, dieses merkwürdige Stück des jüdischen Eherechts durch Tatsachen der Ethnologie der so notwendigen Erklärung zuzuführen.

1. Der Standpunkt der Sektierer.

In Schechters Documents¹⁾, und zwar in dem wichtigen ersten Text, den wir, ohne uns in Streitfragen einzulassen, vorerst einen sadduzäischen nennen wollen, wird von dem sektiererischen Gesetzgeber auch das Kapitel der verbotenen Ehen berührt und den Gegnern unter anderem der Vorwurf gemacht, daß sie die Ehe zwischen Onkel und Nichte zulassen. Der betreffende Passus (I p. 5 Z. 7 f.) lautet: ולוקחים איש אח בת אחיהם ואח בת אחותו ומשה אמר אל אחות אמך לא תקרב שאר אמך היא ומשפט העריות לזכרים הוא כחוב וכחם הנשים. ואם [ואיך] 1. תגלה בת האח את ערוה אחי אביה והיא שאר

¹⁾ Schechter, Documents of Jewish Sectaries. Volume I. Fragments of a Zadokite work. Cambridge 1910.

²⁾ Diese Emendation drängt sich völlig auf, denn der Satz ist im Tone der Ausrufung gehalten. Es nimmt mich wunder, daß dieser Umstand noch nicht bemerkt

Den Sinn der Stelle gibt uns Kaufmann Kohler in seinem den Documents gewidmeten lehrreichen Aufsatz¹⁾ richtig wie folgt wieder: "And they marry the daughter of their brother or sister, whereas the law of Moses which forbids the man to marry the sister of his mother, declaring her to be the mother's near kin, applies also to woman and consequently forbids also the brother's daughter to marry her father's brother, he being her father's kin."

Nach der ganzen Natur dieses polemischen Werkes mußte das gegen die Gegner ins Treffen geführte Argument aus dem Arsenal der Heiligen Schrift geholt werden, und derselben Kampfführung begegnen wir auch im ganzen Verlaufe der späteren Polemik. Das soll uns aber nicht beirren, späterhin den Streitpunkt auf einem ganz anderen Gebiete zu suchen. Leider ist das aus der Bibel genommene Zitat nicht korrekt, denn Lev. XVIII, 13, die nächstliegende Parallele, lautet anders, so daß man sich sagen muß, der Polemiker habe sich sein לֹא חָקֵר etwa aus Versen wie Lev. XVIII, 19 oder ib. XX, 16 geholt, aus Stellen, die ebenfalls geschlechtliche Vergehungen behandeln. Man sieht, daß der Polemiker nicht so sehr den Wortlaut der Schrift urgiert, aus dem ja in der Tat nichts Zweckdienliches zu folgern ist, als vielmehr den logischen Gesichtspunkt, daß die Ehegesetze (משפט העריות) gerade so Geltung haben für die Frauen als für die Männer. Es ist ein beliebter karäischer Gedanke, daß so wie Er nicht heiraten dürfe seine Tante, so dürfe Sie nicht heiraten ihren Onkel²⁾. Immer handelt es sich um dieselbe Analogie zwischen Mann und Weib, es sei der verbotene Heiratsgrad wie immer beschaffen³⁾.

wurde. Die erneuerte Prüfung der Vorlage wird meine Vermutung vielleicht bestätigen.

¹⁾ Kohler, Dositheus, the Samaritan Heresiarch, and his relations to Jewish and Christian doctrines and sects. Reprinted from the American Journal of Theology, Vol. XV, Nr. 3, July 1911. Siehe p. 427 f. Die von Schechter (p. XXXVI f.) für dieses Stück vorgeschlagenen Emendationen sind unnötig. Zunächst אישה für איש. Aber איש ist hier generell und paßt vorzüglich in die Sprache der Gesetzgebung; vgl. Deut. XXII, 13; XXIII, 1; XXIV, 1. 5. Dieses איש kann sowohl singular als plural konstruiert werden, und es ist nicht nötig, das Suffix in אחיהם oder אחותו zu unifizieren. Auch והיא שאר kann bleiben, indem היא die Frau bezeichnet; הוא wäre ein anderes Subjekt.

²⁾ Siehe Harkavy, Likkute Kadmonioth, p. 97 und 100 (die Worte 'Anas sind auch mitgeteilt bei S. Poznański in Kaufmann-Gedenkbuch S. 173); Hadassi in Eškol ha-Kofer p. 117 c. Siehe jetzt auch ספר העריות, genannt מקורות לקורות דיני, des Karäers Jesua b. Jehuda bei J. Markon נשים ועריות אצל הקראים (Petersburg 1909) I, 74 f.

³⁾ Vgl. die Worte Kırkısânîs bei Poznański, a. a. O. und die von Jepheth b. Ali bei Neubauer, Aus der Petersburger Bibliothek S. 106.

Einstweilen wollten wir hiermit bloß gezeigt haben, daß zwischen Karäern und Sadduzäern in diesem Punkte nicht bloß eine sachliche Übereinstimmung herrsche, sondern daß auch ihr Beweisverfahren ganz ähnlich sei. Unsere Aufgabe erstreckt sich jedoch weiter, indem wir dartun wollen, daß speziell im Punkte des Eheverbotes zwischen Onkel und Nichte auch die anderen aus dem Judentum hervorgegangenen Sekten mit den Sadduzäern übereinstimmen¹⁾.

Im Punkte des fraglichen Eheverbotes berühren sich also 1. die Sadduzäer, wie soeben ausgeführt wurde; 2. die Karäer, deren Ansichten, auf 'Anan zurückgehend, uns in den verschiedensten Schriften niedergelegt sind, darunter auch in einem hochwichtigen rabbanitischen Werke, nämlich in *Hälakhōth Gēdōlōth*²⁾, in welchem die Worte *מכאן חשובה למינים שאוסרים בת האח* sich sicherlich auf die Karäer beziehen; diese rabbanitische Stelle läßt vermuten, daß zwischen den Anhängern der beiden Parteien über die fragliche Ehe eine heftig geführte Polemik bestand. Merkwürdig ist es, daß nun die Rabbaniten gewissermaßen den Spieß umdrehen und die Karäer mit deren eigener Waffe bekämpfen. Nachdem nämlich konstatiert wurde, daß 'Othniel b. Q̄naz seine Brudertochter geheiratet habe, diese Art Ehe also gestattet sein müsse, wird nun gefragt, woher dasselbe auch für die Schwestertochter folge? Und da wird ganz einfach, wie es die Karäer machten, die Logik der Sache (*סברא*) hervorgehoben, daß nämlich so wie gestattet sei die Brudertochter, so auch die Schwestertochter. Ganz in karäischem Geiste lehrt auch der Sektenstifter Moses 'Abu-'Amran, daß die Ehe mit der Bruder- oder Schwestertochter verboten sei (Graetz, Geschichte V³ 449 = V⁴ 513); dieses Verbot scheint also zum eisernen Fonds der karäischen Lehre zu gehören. — 3. Dasselbe Verbot haben auch die Samaritaner, und es ist nicht ausgeschlossen, daß sich jenes Wort aus der gaonäischen Zeit auch gegen sie wendet. Bedauerlich ist es, daß wir den samaritanischen Standpunkt nicht weiter verfolgen können³⁾. — 4. Die Falaschas, von denen Schechter⁴⁾ wie folgt schreibt: "We know also that the Falasha

¹⁾ Die Sache ist freilich nicht neu; doch soll sie der Vollständigkeit halber berührt werden.

²⁾ Ed. Hildesheimer, p. 609 (vatikanische Rezension; in anderen Rezensionen, z. B. ed. Venedig 1548 folio 140 d, fehlen diese Worte). Die Sache selbst, nämlich die Ehe des 'Othniel b. Q̄naz mit der Brudertochter, stammt aus Tosefta und Jernsalmi.

³⁾ Siehe Kirchheim, *Karmē Šōmrōn*, p. 28; ZDMG 20, 557; Montgomery, *The Samaritans*, p. 43 (nach de Sacy in *Notices et Extraits* 1831, p. 179).

⁴⁾ Documents I p. XXV (Introduction).

law prohibited the marriage of a niece, threatening all the terrors of Hell for its transgression, which affords another point of similarity with the laws of our Sect." — 5. In der alten christlichen Kirche war derjenige, der des Bruders oder der Schwester Tochter, also seine Nichte, geheiratet hatte, vom Priesteramte ausgeschlossen ¹⁾. — 6. Das mohammedanische Gesetz (im *Ḳoran* Sure IV, 27) verbietet die Heirat mit der Bruder- oder der Schwester-Tochter. Ein arabischer Schriftsteller zählt es zu den Schändlichkeiten der Juden, daß sie des Bruders Tochter heiraten ²⁾, und es polemisiert auch al-Masûdi gegen diese Sitte ³⁾.

Die Behauptung des Estori Parchi (in *Kaftōrwa-Pherach* ed. Luncz I, 71, Kap. 5 Ende) ⁴⁾, daß die Karäer das fragliche Eheverbot den Samaritanern und diese den Mohammedanern entlehnt hätten, muß nun, angesichts des sadduzäischen Textes, als irrig bezeichnet werden, wie schon Kohler bemerkt, vielmehr beruht die auffallende Übereinstimmung sämtlicher Sekten wohl auf einer alten Hälākhā, wie sich P o z n a ů s k i ausdrückt, oder richtiger auf einer alten Anschauung, die ich am Schlusse des Artikels dartun werde.

2. Der Standpunkt der Pharisäer.

Der pharisäische oder rabbinische Standpunkt ist ausgesprochen in einer Barajtha (b. Jebamoth 62 b unten, vgl. b. Sanh. 76 b): „Der da liebt seine Nachbarn, der da an sich zieht seine Verwandten, der da heiratet die Tochter seiner Schwester (בת אחותו), und der da Geld leiht dem Armen zur Zeit seiner Not — für ihn gilt der Schriftvers Jes. LVIII, 9.“ Raši z. St. sucht den uns beschäftigenden Satz psychologisch zu erklären: Der Mensch ist gegen die Schwester zärtlicher als gegen den Bruder, und so kommt er dazu, deren Tochter sich zum Weibe zu nehmen ⁵⁾. Der Tosafist RSbM. seinerseits bemerkt, daß dasselbe auch für die Brudertochter gelte, doch liege es in der Natur der Dinge, daß

¹⁾ Apostolische Kanonen Nr. 19 (Fulton, *Index Canonum*, p. 87.) Zur Filiation der sadduzäischen Ehegesetze in fast alle christlichen Kirchen s. Chwolson, *Beitr. zur Entwicklungsgesch. des Judent.*, Leipzig 1910, S. 11. Dem Nathan Official (13. Jahrh.) wird christlicherseits die Heirat mit der Nichte vorgeworfen, worauf er sich auf das Beispiel des 'Othniel b. Kenaz beruft; Zadoc Kahn, Joseph le Zélateur, p. 21, REJ I und III Sonderabzug).

²⁾ Bei Steinschneider, *Polem. Literatur* S. 398.

³⁾ ZDMG XLII, 597.

⁴⁾ Vgl. Zunz, *Gesamm. Schriften* II, 303 und Steinschneider, a. a. O.

⁵⁾ וְיִמְחֹךְ כִּי נִמְצָא מַחֲבֵב אֶת אִשְׁתּוֹ hat keinen Sinn; lies: מַחֲבֵב אֶת [בְּתוּלָתָהּ וְנוֹשְׁאָהּ].

die Schwester mit Worten auf den Bruder einwirke, was oft dahin führt, daß er deren Tochter heirate. R. Jakob Tam (ר"י) ist anderer Meinung; nach ihm käme die Heirat nur mit der Schwester-Tochter zustande, aus dem Grunde, weil sie des Onkels Schicksalsgenossin (בת מולו) sei¹⁾, in Ausfluß des Satzes, daß die meisten Kinder dem Bruder der Mutter nachgeraten²⁾. Andere Erklärungen dieser merkwürdigen Anschauung sind mir weder aus alter noch aus neuer Zeit bekannt.

Über die Sitte selbst habe ich in meiner „Talmudischen Archäologie“ (II, 34, s. auch die dazu gehörige Anm. 287 auf S. 454) in aller Kürze gehandelt; namentlich verweise ich auf den tannaitischen Ausspruch: „Nicht soll man eher heiraten, bis nicht die Schwestertochter groß geworden oder man die passende Frau gefunden“³⁾, wie auch auf parsische Parallelen, die durch J. Perles bekannt geworden sind. Aber als Erklärung konnte ich nur so viel sagen, daß die Sitte wohl beruhe „auf dem natürlichen Umstande, daß die früh verheiratete Schwester alsbald eine zur Ehe geeignete Tochter haben kann“. Wiewohl nun diese Erwägung, die ich eine soziologische nennen möchte, durch nichts widerlegt wird, so genügt sie mir jetzt doch nicht zur Erklärung des Standpunktes der Rabbinen, und so will ich der Sache eine breitere Unterlage geben.

Es ist nicht zu verkennen, daß das Wort דוד = Oheim, im Hebräischen sowohl, als in den Schwestersprachen, etymologisch den Geliebten bedeutet. Der Gebrauch des Wortes scheint auf den Oheim von väterlicher Seite beschränkt gewesen zu sein⁴⁾, während für den mütterlichen Oheim arab. خال oder حبيب existiert, letzteres als חביב und חביבה (= Onkel, Tante) auch im Hebräischen, jedoch erst von der talmudischen Zeit an nachweisbar⁵⁾. Alle diese Wörter bedeuten, wie gesagt, den Geliebten bzw. die Geliebte. Ist es da nicht erlaubt, anzunehmen, daß Onkel bzw. Tante „Geliebte“ heißen nicht in verwandtschaftlichem, sondern in ehelichem Sinne? Danach würde sich von selbst ergeben, daß Ehen zwischen Nichte und Onkel, bzw.

¹⁾ Oder גילו, s. Bertinoro und Tosafioth Jom Tob zu M. Nedar. VIII, 7.

²⁾ רוב בנים דומין לאחי האם b. Bb. 111 a; vgl. Soferim c. 15 Ende = j. Kidd. IV, 66 c Z. 32. Dieselbe Ansicht s. bei B. Jacob, Altarab. Beduinenleben, 2. Aufl. S. 40. Eine Version des Töldōth Jesu läßt wohl eben deshalb Jesum nach dem Bruder der Mutter genannt sein; s. mein Leben Jesu (Berlin 1902) S. 271.

³⁾ T. Kidd. I, 4 p. 335 Z. 1 ed. Zuckerman. Vgl. Derech Erez R. 1, 5.

⁴⁾ Gesenius, Handwörterbuch, 13.—15. Aufl. unter דוד.

⁵⁾ Talmud. Arch. II, 30. Ben-Juda, Millon s. v. gibt Vatersbruder.

zwischen Neffen und Tante nicht nur erlaubt, sondern an der Tagesordnung waren, so sehr, daß jene Verwandtschaftsgrade in diesem ehelichen Sinne ausgedrückt wurden¹⁾. So haben sich im alten Ägypten Mann und Weib „Bruder“ und „Schwester“ genannt, und daraus kann gefolgert werden, daß dort die Geschwisterehe herrschte, wie auch historisch feststeht; da ferner bei den Arabern die Gliedgeschwister sich heirateten, so wurde jede Braut „Kousine“ oder „Base“ genannt, ein Beweis, wie sehr die Sprache die alten Zustände einer Sippe bewahrt haben kann.

Die uns bekannt gewordenen Fälle von Ehen mit der Schwester-Tochter sind nicht gerade zahlreich. Nach rabbinischer Auffassung, die schon oben berührt wurde, war ‘Othniel b. Kenaz von mütterlicher Seite der Bruder des Kaleb gewesen, und dennoch heiratete er dessen Tochter²⁾. Aus der Familiengeschichte der Herodianer, deren Verhalten allerdings für das echt jüdische Leben wenig beweiskräftig ist, können folgende zwei Fälle angeführt werden: Joseph, der Onkel Herodes’ d. Gr., heiratet seine Nichte Salome; ferner: Philippus, Sohn des Herodes von der Kleopatra, heiratet gleichfalls eine Salome, welche eine Enkelin Herodes’ d. Gr., und zwar die Tochter des Herodes II. war, also die Tochter eines Halbbruders des Philippus³⁾. Aus rabbinischer Zeit, und, wie wir gleich hinzusetzen, aus rabbinischen Kreisen, ist uns nur ein konkreter Fall bekannt. Es wird erzählt, R. Eliezer [b. Hyrkanos] habe die Tochter seiner Schwester dreizehn Jahre lang bei sich erzogen; als sich die Zeichen der Pubertät bei ihr zeigten, habe er sie nach auswärts verheiraten wollen, aber das Mädchen, das trotz des großen Altersunterschiedes als „Magd“ im Hause des großen Rabbi bleiben wollte, war dazu nicht zu bewegen, und so einigte sich der Rabbi mit ihr und nahm sie sich zum Weibe⁴⁾.

¹⁾ Vgl. Blau in M. Zs. Szemle XXVIII, 286.

²⁾ Josua XV, 17; Richter I, 13. Die Beweisführung s. in Hälakhōth Gedōlōth ed. Hildesheimer p. 609. Die Karäer deuten den Vers dahin, daß Kenaz ein Bruder Kaleb’s gewesen sei, folglich hätten sich Geschwisterkinder geheiratet; s. Mibchar z. St. Einen Angriff auf die karäische Ansicht enthält auch ein anonymer Bibelkommentar, den Poznanski bespricht in Hebr. Bibliogr. IV, 18.

³⁾ Siehe die Tabelle und Belege bei Schürer, Gesch. des j. Volkes im Zeitalter J. Chr. I, 3—4. Aufl., S. 780.

⁴⁾ ‘Aboth R. Nathan c. 16 (ed. Wilna fol. 24 d, ed. Schechter p. 32 a). Parallelstelle j. Jebam. III, 13, fol. 13 c. Z. 60, nach welcher R. Eliezer von der Mutter des Mädchens, also von der Schwester des Rabbi, dazu gedrängt wurde, die Nichte zu heiraten. Dieser Zug bestätigt die oben aus Tosafoth zu Jebam. 62 b mitgeteilte Wahrnehmung. Von anderem Gesichtspunkte behandelt den Vorfall Büchler in Lewy-Festschrift, S. 121.

Aber andere Vorfälle, welche die Rabbinen zu berichten nicht umhin können, lassen erkennen, daß sich das Volk gegen die Heirat mit der Nichte sträubte. Die Mišna nämlich behauptet für den Fall, daß Einer, in den man drang (כּרַח), die Schwestertochter zu heiraten, er aber in Form eines Gelübdes die drastische Äußerung tat, sie dürfe nie einen Genuß von ihm haben, daß er gleichwohl ihr anderen Genuß gewähren könne, weil er mit seinem drastischen Ausdruck nur die Ehe abweisen wollte ¹⁾, und ganz in demselben Sinne heißt es ferner, es habe sich zugetragen, daß Einer seine Schwestertochter mit den Worten ausschlug, er wolle von ihr nichts genießen ²⁾, und wenn auch in letzterem Falle, wie die Fortsetzung der Erzählung beweist, die designierte Braut bloß darum ausgeschlagen wurde, weil sie für häßlich galt — was aber hernach korrigiert wurde — nicht aber aus irgendeinem prinzipiellen Grunde, beweisen die fast identischen Ausdrücke der beiden Fälle dennoch, daß sich im Volke eine starke Abneigung gegen Heiraten mit Nichten bemerkbar machte, und daß es wohl in jedem Falle des Zuredens der Rabbinen bedurfte, um den Widerstand des Volkes zu brechen.

Ich sehe hierin, ganz im Geiger'schen Sinne, die Spur der älteren Hälakhā. Die Weigerung des Volkes, sich mit der Heirat des Onkels mit der Nichte zu befreunden, bekundet den älteren Standpunkt, dem auch, wie wir gesehen haben, sämtliche Sekten huldigen; die Ansicht der Rabbinen, daß diese Heirat gestattet und sogar verdienstlich sei, bedeutet eine Neuerung oder eine Reform, wie sie nicht selten von rabbinischen Kreisen ausging. In Erwägung des reformatorischen Charakters der von den Rabbinen für gut geheißenen Nichtehe wurde erst jüngst die Ansicht ausgesprochen, daß die Rabbinen dies aus Opposition gegen die Sadduzäer taten ³⁾, und noch mehr kann uns das Faktum interessieren, daß selbst noch im Mittelalter ein Mann, wie Jehuda der Fromme, gegen die Nichtehe Bedenken erhob ⁴⁾. Aber zu sagen, daß ein in der Hälakhā aufgehender Mann, wie Jehuda der Fromme, hierin unter karäischem Einflusse stehe, scheint mir denn doch nicht richtig; vielmehr setzt sich hierin nur die Scheu fort, die man angesichts einer Ehe empfand, die so leicht als Inzest erklärt werden konnte. Auch ist es nicht ausgeschlossen, daß Jehuda hierin dem christlichen Standpunkte Konzessionen machte, wie 100 Jahre vorher R. Geršöm mit seinen bekannten Verordnungen.

¹⁾ M. Nedar. VIII, 7, s. Kommentare.

²⁾ M. Nedar. IX, 10.

³⁾ L. Ginzberg in MGWJ (1912 erschienen), LV, 696.

⁴⁾ ספר חסידים ed. Wistinetzki, p. 282; auch im Testament, s. Ginzberg, a. a. O.

Ich kann es auch nicht als Erklärung ansehen, daß die Pharisäer die fragliche Ehe aus bloßer Opposition gegen die Gegenpartei erlaubt hätten¹⁾, vielmehr dürfte die Erklärung in ethnologischen Gründen liegen, wie nun ausgeführt werden soll.

3. Ethnologische Erscheinungen.

In der älteren Geschichte der Hebräer überwiegt augenscheinlich die Endogamie²⁾. Es wird großer Wert darauf gelegt, daß Isaak und Jakob innerhalb der Familie heiraten, während die kanaanäischen Weiber des Esau den Eltern ein Greuel sind (Gen. XXVI, 34 f., vgl. XXVII, 46). Diese Endogamie steigert sich natürlich nicht zu dem, was man Inzest nennen könnte; immerhin ist aber bemerkenswert, daß Abraham seine Halbschwester zum Weibe hat, und daß diese Art Heirat auch später nicht verpönt war, zeigt die Geschichte von 'Amnon und Tamar (s. besonders II. Sam. XIII, 13). Auch Jakobs Heirat mit zwei Schwestern und 'Amrams mit seiner Tante wäre in späterer Zeit unmöglich gewesen. Im Stadium der primitiven Kultur werden solche Dinge nicht perhorresziert. Selbst das eheliche Leben in Blutschande war bei gewissen Völkern des Altertums nicht nur nicht verboten, sondern unter bestimmten Verhältnissen sogar zum Gesetz erhoben. In Lev. c. XVIII ist der Inzest und der Molochdienst verboten; so wie dieser bei einigen Völkern gesetzliche Institution war, so muß auch jener vom Gesetz gefordert gewesen sein³⁾, und erst das Gesetz Israels befreite die Welt von diesen Greueln.

Aber minder verhängliche Fälle, wie z. B. die Heirat unter Geschwisterkindern und die Heirat mit der Nichte, wurden nicht verboten und wurden gewiß weiter geübt. In dieser Beziehung herrschte das Bestreben nach Endogamie weiter fort. Die Pharisäer oder Rabbinen fanden hierin einen Zustand vor, den sie nicht ändern konnten und nicht ändern mochten. Es verhält sich damit wie z. B. mit der Zeremonie des Wassers schöpfens im Tempel zu Jerusalem, ein Brauch, den die Pharisäer trotz seiner heidnischen Allüren als uralte Sitte beibehielten, die strengen Sadduzäer

¹⁾ Die Alten würden gesagt haben: 'להוציא מלבן כו' oder לעשות פומבי לדבר.

²⁾ Siehe *Marriage in Jewish Enc.* VIII, 336. L. G. Lévy, *La famille*, Paris 1905, p. 169 f. Vgl. auch Graetz in *MGWJ* 1879, S. 509.

³⁾ Siehe Luzzatto, *Komm. zu Lev. XVIII, 3*. — Die Morgan'sche Theorie von einem primitiven Zustande, den er "consanguin family" nannte, wird neuerdings von Lord Avebury (Lubbock) bestritten: *Marriage, Totemism and Religion*, London 1911. Erscheinungen, wie oben ׀׀ = Onkel = Geliebter, wären nach Avebury das Produkt der Verarmung der Sprache. Plausibel klingt das nicht.

aber verwarfen ¹⁾. So werden noch in talmudischer Zeit Ehemaßregeln getroffen, die den Zweck haben, daß man sich an den Stamm und an die Familie anschließe ²⁾.

Ob die Heirat zwischen Onkel und Nichte als Inzest anzusehen sei oder nicht, können wir nach den entgegengesetzten Sitten, die diesbezüglich bei den Naturvölkern herrschen ³⁾, weder bejahen noch verneinen. Aber bei einem der Kulturvölker, nämlich bei den Römern, finden wir eine Sitte, die viel zu denken gibt. Zu der „guten“ Göttin (*Bona Dea* = *Mater Matuta*), so berichtet Plutarch (*Quaest. Rom. c. 17*), beteten die Frauen für ihre Neffen und Nichten an erster Stelle, für ihre eigenen Kinder erst an zweiter Stelle. Der Kontext beweist, daß die Bevorzugten gerade der Schwester Kinder waren, und etwas Ähnliches berichtet auch Ovid. Wir setzen nun einige Sätze aus einer neueren Forschung hierher, die beweisen, daß diese Sitte den Ethnologen unverständlich ist ⁴⁾.

“Mr. Warde Fowler admits in a note on this custom that he is unable to suggest any kind of explanation; but Mr. Karl Pearson maintains the venturous hypothesis that the ancient Roman rule referred to the ‘nepotes’ as the objects of the prayer, and that there were really the whole group of offspring of a group-marriage system who were all equally near of kin.” — In der Note: “Apart from group marriage or any communal system — if descent were through the female, a wife’s sister’s children would be of the wife’s clan, and we could understand the wife’s praying for them; but why should she not under this system pray for her own as well? In a note in his introduction to the *Quaestiones Romanae*, Dr. Jevons remarks that Plutarch’s statement suggest the possibility of the ‘Nair’s-family system’ having once prevailed in Italy; but he does not show how this would fully explain the difficulty.”

Aber ich glaube, in der berührten römischen Sitte ein Stück Matriarchat zu erkennen, ergänzt mit dem sogenannten „Neffenrecht“, nach welchem bei mehreren Naturvölkern z. B. die Häuptlingswürde nicht auf den leiblichen, sondern auf den Schwwestersohn übergeht; in anderen Fällen gehen Besitz, Stand und Regierungsgewalt auf den mütterlichen

¹⁾ Vgl. meine Anzeige von Feuchtwang, Das Wasseropfer usw. (Wien 1911) in Deutsche Literaturzeitung 1911, Sp. 2320.

²⁾ j. Kethub. 1, 5, 25 c במשפחתו ובמשפחתו כדרכו אדם מידבק בשבטו ובמשפחתו; vgl. j. Kidd. 4, 4, 66 a.

³⁾ H. Ploss, Das Weib in der Natur- und Völkerkunde, 9. Aufl., I, 692 f.

⁴⁾ Siehe L. R. Farnell, Sociological hypotheses concerning the position of women, in „Archiv für Religionswissenschaft“, Leipzig 1904, VII, 84.

Oheim über ¹⁾). Nach dem Matriarchat muß die Tochter der Schwester wie diese selbst betrachtet worden sein, und eine Heirat mit ihr involviert den Inzest. Daß man in Rom tatsächlich dieser Meinung war, beweist folgender Vorfall. Kaiser Claudius (40—54 n. Chr.) wollte seines Bruders Tochter Agrippina (die jüngere) heiraten. Im Senat wurden darüber Debatten geführt und darauf verwiesen, daß Heiraten mit Brudertöchtern bei anderen Völkern ganz gebräuchlich und durch kein Gesetz verboten seien; auch die unter Geschwisterkindern, lange unbekannt, seien im Laufe der Zeit immer häufiger geworden ²⁾). Es wurde nun zum Gesetz erhoben, daß die Frau zwar mit dem Bruder des Vaters (*pater*) nicht aber mit dem Bruder der Mutter (*avunculus*) eine Ehe eingehen dürfe. Als das Christentum Staatsreligion wurde, war es die erste Sorge der Gesetzgeber, die Heirat mit der Nichte wieder zu verbieten ³⁾).

Diese Vorgänge in Rom müssen in Palästina einen Widerhall gefunden haben. In alten Zeiten unterlag die Heirat mit der Nichte noch nicht dem Gesetze über Inzest. Aber unter Einwirkung des frevelhaften Rom, das durch sein Gesetz vom Jahre 49 ein Stück Matriarchat wieder aufleben ließ, mußten sich die damaligen Machthaber des Judentums — und das können nur Sadduzäer gewesen sein — gedrängt fühlen, die Sittenreinheit des Judentums zumindest auf diejenige Stufe zu bringen, die man in Rom eingeführt hatte; da also ward es zur „Hälākhā“, die Heirat mit der Nichte nicht zu erlauben, einerlei, ob diese Nichte des Bruders oder der Schwester Tochter ist. Das war die alte Hälākhā, der alle Sektierer gefolgt sind. Im Laufe etwa eines Jahrhunderts, d. i. zur Zeit, als jene in der Mišna berichteten Vorfälle stattgefunden haben mochten, mußte die alte Hälākhā auch im Volke so weit Eingang gefunden haben, daß sich gegen deren Aufhebung ein gewisser Widerstand rührte. Die Pharisäer jedoch, die etwa paar Jahrzehnte darauf — d. i. nach dem Claudius'schen Gesetze — zur Herrschaft gelangt sind, griffen auf das graue Altertum zurück und hielten die Heirat mit der Nichte nach wie vor für erlaubt und sogar verdienstlich, letzteres darum, weil,

¹⁾ Meyers Konversations-Lexikon, 6. Aufl., unter Ehe. Die Kenner des jüdischen Eherechts wissen, daß in vielen Fällen das Kind den Charakter der Mutter (und nicht des Vaters) trägt, was eine gewisse Neigung zum Matriarchat bedingt. Vgl. z. B. die Erklärer zu M. Sota VII, 7.

²⁾ Tacitus, *Annales* XII, 6.

³⁾ Tacitus *ib.* XII, 7. Sueton, *Claud.* c. 26. Ulpian V, 5. 6. Gaius I, 62. Das *Senatus consultum Claudianum* wurde im Jahre 342 wieder aufgehoben, s. *Cod. Theodos.* III, 12, 1. Rossbach, *Untersuchungen* S. 431. Marquardt, *Privatleben der Römer*, II. Aufl., S. 31.

den biblischen Beispielen folgend, sie die Endogamie im Interesse der Familienreinheit möglichst geschont wissen wollten.

Ihre Schriften predigen die Verdienstlichkeit der Endogamie. Judit heiratet einen Stammesverwandten (Judit VIII, 1 f.), und im Tobit (IV, 12) wird dem innerfamiliaren Ehebündnis förmlich das Lob gesungen, so daß Kohler bereits vor Jahren schreiben konnte: "The most conspicuous lesson of the Book of Tobit is neither the charity work nor the burial of the dead ... but the rule: Marry a woman of the seed of thy fathers" ¹⁾. Eben derselbe hat auch darauf verwiesen, daß das Buch der Jubiläen ²⁾ von dem frommen Mann genau so die Heirat mit der Schwestertochter verlange, wie der Talmud. Bei der Schwestertochter, die nach den Begriffen des Matriarchats dem Inzest besonders nahesteht, mußte die Verdienstlichkeit der Heirat scharf betont werden; die Gestattung derselben und auch die Gestattung der Heirat mit der Bruderstochter folgte daraus von selbst. Aus all diesen Erwägungen folgt zumindest so viel, daß wir es in dieser Sache mit einer tiefgehenden ethnologischen Frage zu tun haben.

¹⁾ JQR (1893) V, 407.

²⁾ IV, 15—33; VIII, 5. 6; IX, 7.

The Sadducees and Pharisees.

A Study of their Respective Attitudes towards
the Law.¹⁾

By

Prof. Jacob Z. Lauterbach, Ph. D. Cincinnati.

Much has been written about the Sadducees and Pharisees, their respective tendencies, teachings and interpretations of the Law ²⁾. But no satisfactory presentation of the real motive of their disagreement in regard to the interpretation and application of the Law and of the fundamental principles underlying the peculiar views and opinions of each party, has been given. From Josephus ³⁾ and the Talmud ⁴⁾ we learn that one of the main differences between them consisted in the peculiar attitude of each towards those laws, not contained in the Pentateuch but merely based upon tradition. The Pharisees considered such laws as of absolute authority and equal to the written laws, while the Sadducees denied them such authoritative and compulsory character. But neither Josephus nor the Talmud has anything to say about the cause and origin of this great difference or of the respective arguments of each party in support of its position. And what we otherwise know about the character and tendencies of the two parties not only does not explain, but apparently makes it even more difficult to understand how

¹⁾ This essay is a part of a larger work on the Sadducees and Pharisees which the writer has in preparation.

²⁾ About the literature see the bibliography given by Dr. Kohler at the end of his article on the Pharisees in the Jewish Encyclopedia IX p. 666. Compare also his article on the Sadducees *ibidem* X.

³⁾ Antiquities XIII 10, 6, § 297 and XVIII 1, 4, § 16.

⁴⁾ Sanhedrin 33 b (see Rashi there) and Horajoth 4 a it is taken for granted, though not expressly stated, that the Sadducees denied the authority of the traditional law. This is further evident from the many traditional laws mentioned in the Talmud as having been disputed by the Sadducees, see Sukkah 43 b and 48 b and Erubin 68 b compared with Horajoth 3 b—4 a.

each party could have consistently assumed the attitude towards tradition thus ascribed to it.

Judging from their teachings and their interpretations of the Law which are preserved to us, we find that the Sadducees held tenaciously to older views and insisted on a simple and literal interpretation of the Law. This we must believe was traditional with them, for we find that the older Halakah, adhering strictly to older traditional ways and principles, follows the same method of simple and literal interpretation and agrees in many points with the teachings and views of the Sadducees (See Geiger, *Urschrift* p. 134, and *Sadducäer u. Pharisäer* Breslau 1863, p. 15). And it is now considered an historic fact, that the Sadducees were the older party, consisting of the priests, the descendants of the בני צדוק and their aristocratic followers. They were conservative and narrow in their views and strongly opposed to changes and innovations. The Pharisees, on the other hand, were the younger party broader and more liberal in their views, of progressive tendencies and not averse to innovations. Accordingly we would expect, that the Sadducees, whose priestly ancestors and predecessors had always been the official teachers of the people, the תופשי התורה, the custodians of the Law and presumably also of such tradition as there was, and who themselves were very conservative, the natural advocates of traditional ways and views, would seek to uphold the authority of tradition and the binding character of its laws. On the other hand, we would expect the Pharisees, being the younger, more progressive and liberal party which applied new methods of interpretation and developed new theories, to deny the authority of tradition and reject its laws.

But, instead, we are led to believe that in their attitude towards the authority of the traditional laws the two parties had changed roles. For the conservative Sadducees are said to have opposed the authority of tradition and the binding character of its teachings, while the Pharisees, who in many points departed from traditional ways and favoured new views, are represented as the advocates of tradition and of the authority of its laws. Yet there is no reason at all, to doubt the correctness of Josephus' statement in regard to this great difference between the two parties, confirmed as it is by the Talmud. Geiger's explanation, that the negative attitude towards tradition was held not by the older Sadducees but only by the Boethusians who were really of a later date and had no tradition (*Urschrift* p. 134) is incorrect. For, from the Talmud and from Josephus it is evident that this negative attitude towards tradition was held by all the Sadducees and not merely by the Boethusians. Nor can we

accept the other explanation of Geiger (*ibidem*) viz. that the Pharisees instituted some new laws or made additions to older laws, representing them as based upon tradition, and that it was only such traditional laws which the Sadducees refused to accept and demanded for them proof from the Torah¹). For it is altogether wrong to accuse the Pharisees of representing their own decisions as traditional laws. The Pharisees would never have deliberately invented a tradition to support their own teachings²). Nor could they have done so, if they would. How could they, especially in their earlier disputes, even think of claiming to be in possession of traditions unknown to or denied by their opponents, when the latter were the heirs of the priests who had always been the custodians of the Law and of tradition? Must they not have feared that the Sadducees might ask, how they came to have tradition? Yet such a question, as far as we know, was never raised by the Sadducees. Nor do we ever hear in all the disputes between the two parties and in the various arguments of the Sadducees against the Pharisees reported to us, that the former accused the latter of having invented or falsely represented any tradition. This argumentum e

¹) This argument is not only weak but even self-contradictory. It is the best illustration of Geiger's peculiar method of argumentation which has rather weakened the strength of his theory instead of supporting it. In the first place the characteristic attitude, assumed by the Sadducees towards the traditional law, could not have been provoked by and directed against only a few laws which the Pharisees in the course of time may have instituted. This supposition is contradicted by Geiger's own statement that the Sadducees demanded Biblical proof for these Pharisaic laws. For this implies, that a proof from tradition, even if the Pharisees could have brought such, would not have satisfied the Sadducees. Consequently, the latter must have denied the authority of tradition in general and not merely the few laws which the Pharisees claimed to have derived from tradition. Besides, we find that the reverse was the case. In all their disputes with the Sadducees the Pharisees try to give scriptural proofs for their decisions and they never say, "we have this or that decision as a tradition". On the other hand the Sadducees are unable to furnish for their decisions the Scriptural proofs which the Pharisees demanded of them **לא היו יודעים להביא ראיה מן התורה** (see Scholion to Meg. Taamit IV Neubauer, *Med. Jew. Chr.* p. 8 and X p. 16, also pp. 4 and 10 according to the reading of P.).

²) In the later development of Pharisaism it happened that certain laws and customs, originally taught or instituted by Pharisaic leaders, were erroneously designated as earlier traditions or even as Mosaic laws. But then it was done in good faith. The later rabbis finding an old law and not knowing its origin any more, really believed it to be an old traditional law, received from the fathers or even from Moses **הלכה למשה מסיני**. In this manner they credited Moses, Joshua, David, Solomon and Ezra with many laws and institutions which were really of later date and of popular origin. But the Pharisaic teachers would never have deliberately ascribed a law or custom to tradition, if they had known, that it was not traditional.

silentio alone may not suffice to prove that the Sadducees never accused the Pharisees of inventing traditions. For it could be argued that our Pharisaic sources naturally would not record such an accusation¹). But we have other positive proofs that the disputes between the parties were not about the contents of tradition, but merely about its authority. Josephus expressly states that the Sadducees denied merely the binding character of traditional laws, declaring, that only the written laws were obligatory. So it was never a question whether certain laws were derived from tradition, but whether those laws admittedly derived from tradition were obligatory. The same is also evident from Tosefta Succa III 1, where it is stated that the Sadducees²) or Boethusians did not consent to the observance of the ceremony of beating the willow at the cost of violating the Sabbath. From this we learn, that they did not object to the ceremony as such, because it was merely a traditional custom or law, as Grätz (*Geschichte* III⁵ p. 696) and Weiss (*Dor* I, p. 112) assume, nor did they deny that it was a traditional custom. On week days they would have countenanced the ceremony, but they objected to its observance on the Sabbath, since this meant a violation of the Sabbath laws. In their opinion the observance of a traditional law, not being absolutely obligatory, could not set aside the Sabbath laws. Thus we see that the two parties differed as to the compulsory character of the laws, not written in the Torah but merely derived from tradition.

The question, therefore, remains what principles did the two parties follow in their respective attitudes towards traditional law, and how do these attitudes harmonise with their respective characters and tendencies otherwise known to us? I shall endeavour to answer this question satisfactorily by showing that the attitude towards tradition, ascribed by Josephus and the Talmud to each party was to a great extent the result of its peculiar views about the written Law and thoroughly consistent with its origin, character and tendencies, as we know them.

¹) Though we find that they do report even some ridiculing remarks which the Sadducees made about the Pharisees, as for instance *מסורת היא ביד פרושים שהו* (Aboth d. R. Nathan, Version A. Ch. V Schechter p. 26) and *בואו וראו פרושים מטבילין גלגל חמה* (Jerushalmi Hagigah 79 d).

²) The passage reads: *לפי שאין הביתוסים מודין שחיבוט ערבה רוחה שבת*. But it is evident that the Boethusians were merely expressing the opinion of the older Sadducees on this question. For if the older Sadducees had objected to the ceremony such and not only to its setting aside the Sabbath, what reason could the younger Boethusians have for accepting the ceremony but merely limiting its performance to week days?

II.

Limited space forbids a detailed presentation of the historic conditions leading up to the division into the two parties. I must limit myself to a brief account of the position of the priests and the place of the Law in the theocratic community prior to this division, in order that we may fully understand the character and tendencies of each party. The reorganised community in Judea accepted from Ezra, the priest and scribe, the Book of the Law of Moses as its constitution. They pledged themselves by oath to observe and keep it (Nehemiah X, 30). The Law was recognised as the only authority in the new community, and the priests, the successors of Ezra, were the official teachers and interpreters of that Law. Though some priests may have fallen short of this ideal, the majority remained true teachers and representatives of the Law. From them alone one could seek instruction in the Torah (Haggai II, 11, Maleachi II, 7). Since the Law, as written in the Book, was the only authority, binding upon the people, these priestly teachers could do no more than teach the written Torah with whatever simple interpretations they had to give to it, i. e. the Midrash Torah (see my forthcoming "Midrash and Mishnah"). They were called Soferim, just as Ezra was called Sofer, because, like Ezra, they occupied themselves with the Sefer ha-Torah, the Book of the Law, taught the Book and from the Book alone. It is doubtful, if there were any laymen i. e. non-priests among the Soferim, but even if so, they had little influence and no official authority. For the priests were the actual leaders and rulers of the community, since they alone were recognised by the Law (Deuter. XVII) as its official teachers and competent interpreters. Besides teaching and interpreting the written laws, the priests, as the actual leaders of the community, did also introduce some new customs and practices to meet certain needs of their time, being authorised to do so by the right given to them in Deuter. VII. Such were the conditions in the Jewish community throughout the entire Persian period.

With the Greek rule conditions changed. During the third century B. C. the authority and influence of the priests diminished, while on the other hand, a class of teachers of the Law, who were not priests, gradually arose (see my "Midrash and Mishnah"). At the beginning of the second century these non-priestly teachers already exerted a great influence in the community and began persistently to claim for themselves, as teachers of the Law, the same authority which, till then, the priests exclusively had enjoyed. At first, these teachers of Israelitic and

non-priestly descent, חכמי ישראל, probably worked in harmony with the priestly teachers and did not dispute the latter's superior authority. For they could not deny the privileges and prerogatives which the Law gave to the priests and which the latter actually possessed. But the strong desire of the priests for material influence and power and for the maintenance of their own special privileges, could not long harmonise with the purely religious tendencies and the desire to make the Law the common possession of the people that animated the non-priestly teachers. This fundamental difference between the political and worldly aspirations of the priestly aristocrats and the purely religious and spiritual tendencies of the pious lay-teachers led to the conflict between the two classes. From the lay-teachers developed the party of the Pharisees, while the priestly aristocracy, originally the representatives and leaders of the entire people, became a mere party, viz. the Sadducees.

This difference in tendency which divided them into two parties with different attitudes towards the Law, was already felt before the Maccabean War. It found its primary expression in the first decade of the second century B. C. After Judea came under the rule, of Antiochus the Great, a senate or Gerousia ¹⁾ composed of priests and lay-teachers was organised to rearrange and regulate the life of the people according to the laws of their fathers. Both priests and lay-teachers, the future Sadducees and Pharisees still stood upon the common ground of Soferic Judaism. Both recognised the Law with all the interpretations given by the Soferim, as absolutely binding upon the people. They also appreciated the teachings of tradition not contained in the written Law. There was absolutely no dispute about these traditions. The priests, especially, had the highest regard for them, since they really were priestly traditions. For up to that time there had been no lay-teachers or חכמי ישראל, in an official position who could claim to be

¹⁾ Josephus (Antiquities XII 3, 3) reproduces an epistle in which Antiochus the Great, gives the Jewish people permission to live according to their own laws, and frees their priests and the members of their Gerousia from all taxes. This epistle may be spurious. But Josephus must have known from other sources that the conditions in Judea, after it came under Syrian rule, were such as described in this epistle so that he could well believe the latter to have been actually written by Antiochus the Great. We can therefore learn from this report that under Antiochus the Great the Jews tried to arrange their affairs and live according to their own laws and that their Gerousia or Sanhedrin had many laymen i. e. non-priests as members. These non-priestly members of the Gerousia must have been acquainted with the laws of the fathers, that is, they were חכמי ישראל (see my Midrash and Mishnah).

the bearers of tradition¹⁾. But in the hundred years during which Judea was under the political rule and cultural influence of the Greeks, conditions in the community changed so radically that the Law as interpreted by the Soferim together with the traditional laws, such as there might have been, were insufficient to meet the needs of the times and could not provide for all cases, nor regulate all actual occurrences. Many questions of practical life arising from the changed conditions, could not be answered from the Law nor from tradition. How, then, regulate the actual life of the people and harmonise it with the Law? This problem, which had a political, as well as a religious aspect, brought to a climax the difference of opinion between the two elements in the Gerousia, that ultimately developed into two distinct parties, the actual rulers and leaders, the priestly aristocrats, and the would-be leaders, the popular and democratic lay-teachers; the Sadducees and the Pharisees²⁾.

The aristocratic priests and the ruling classes connected with them, who had always enjoyed a certain measure of authority, now clung fast to the established practices and by extreme conservatism sought to retain their old privileges. They would not see in the changed conditions cause for change in authority or in the modes of applying the Law. Considering themselves as interpreters of the Law, like their fathers,

¹⁾ The Soferim, the official teachers of the people, were, as said above, priests. It was only after the death of Simon the Just, I, the last of the Soferim, about 270 B. C. when the authority of the priests was undermined and their official activity as teachers interrupted, that a class of laymen acquainted with the Law, חכמי ישראל, could have grown up (see Midrash and Mishnah). Accordingly, these lay-teachers, had never before been in any official position, as recognised teachers. They could therefore, not claim to have direct traditions from the fathers independent of the priests. They could only go back to the traditions and teachings of the Priest-Soferim.

²⁾ Of course, this does not mean that the names צדוקים and פרושים for distinct parties came into use before the Maccabean War. It only means that the difference between the חכמי כהנים and חכמי ישראל, (the two elements that formed the nucleus of the two later parties), was already noted in that first assembly of the reorganised Sanhedrin or Gerousia. It did not, however, come to a complete division at that time, because each group still believed itself able to convince or win over the other. Then came the Maccabean uprising, which the חסידים and the חכמי ישראל supported, expecting as a result of the war the inauguration of a theocratic community according to their ideas and ideals. Only when the Hasmoneans followed the policy of the aristocratic priests and became also Sadduceans, i. e. like the other priests the בני צדוק, only then did the חכמי ישראל separate from them and form a distinct party with the name of פרושים. This probably happened under Johan Hyrcan (see below p. 20, note 2).

they could see no reason for departing from the rules and methods, or losing the privileges, of their fathers. Like their fathers, they held that there was only one law of absolute authority and this was the Law of Moses, as contained in the Pentateuch, which the people in the time of Ezra had sworn to keep and obey. As we have seen above, the Soferim also taught only the written Torah with its interpretation, Midrash, because it was the sole authority. Accordingly, the priestly group and their followers, who formed the Sadducean party, did not depart in the least from the traditional view, nor differ at all from the former priestly teachers, their ancestors, the Soferim, in their attitude towards the Law. They accepted and followed, strictly, the simple, sound interpretations of the Soferim, based upon the plain sense of the words of the Law. They rightly assumed, that as a code of laws the Torah is clear, distinct and unambiguous in expression, that every commandment or law is stated in plain and simple words, easily understood by men for whom the laws and commandments are intended. Or, to use a technical phrase, the Sadducees held דברה תורה כלשון בני אדם, "the Torah speaks in human language"¹), a principle, which was retained

¹) The principle דברה תורה כלשון בני אדם which R. Ismael, the last representative of the older Halakah opposed to R. Akiba's tendency to interpret every apparently superfluous word in the Torah (Sifre Numbers § 112) was, of course, very old. As held by the Sadducees it meant more than merely the rule לשונות כפולות הן as opposed to the tendency to derive laws from certain expressions in the Torah לשונות ריבויין הן, as one would judge from Jerushalmi Sotah 17 a. It meant rather that the Torah is to be treated like a human code and its words can mean only what they expressly state in their plain sense. This principle is so thoroughly in consonance with the Sadducean teachings that it needs no proof to show that it was originally a Sadducean principle. Yet one proof may be cited that even among the later rabbis of the Talmud it was still remembered that the Sadducees advanced or followed the principle דברה תורה כלשון בני אדם. In Sanhedrin 90 b ■ Baraitha is quoted which mentions the argument advanced by R. Eleazar b. Jose to prove to the Sadducees [the text has מינים but the correct reading, as given in Rabbinowitz' Dikduke Soferim, is צדוקים, as indeed the Sadducees denied the resurrection of the dead] that the belief in resurrection is indicated in the Torah. R. Papa then asks Abaye why R. Eleazar did not prove it to them from the double expression הכרת תכרת, which must refer to a twofold death for the wicked and thus implies another life after resurrection for those not so punished. But Abaye answers him that the Sadducees would have refuted the argument from the expression הכרת תכרת, by declaring that "the Torah speaks the language of man" and such expressions like אינתו חוץ אמרי ליה דברה תורה have no special meaning הכרת תכרת אינתו חוץ אמרי ליה דברה תורה. This is not merely an hypothetical answer which, in the opinion of Abaye, the Sadducees could have given, but a reminiscence of the principles held by the Sadducees and which they would have applied as an answer.

long thereafter even among the Pharisees by the representatives of the older Halakah, which, as has been stated, has many points in common with the teachings and views of the Sadducees. Accordingly, we find them strict in observance of the Law, in its literal meaning, in accordance with traditional¹⁾ methods and principles. They would not devise ingenious methods to explain away a written law or give it a new meaning not warranted by the plain sense of the words. They also held in reverence the unwritten laws and traditional customs and usages, of which, as priests, they were in possession. They observed them in most cases in the same manner as their fathers had done²⁾.

However, they argued in a simple, logical manner — and upon this argument their peculiar view of these laws is based. Since these traditional laws,

¹⁾ That their interpretations were the old, traditional ones is evident from the fact that they are in accordance with to the literal meaning. In some cases we still find that the older Halakah, adhering strictly to older traditions, followed them, as in the case of עין רחח עין which R. Eliezer takes in its plain literal meaning כמ"ש (B. K. 84 a), exactly as the Sadducees. Of course the Pharisaic sources either suppressed many older Halakoth which followed the Sadducean teachings or did not mention that the Sadducees agreed with them, so that we have not many instances to prove to what extent the Sadducean principles agreed with the older Halakah.

²⁾ Of course, we can no more ascertain to what extent the earlier Sadducees followed and observed traditional laws, as the Pharisaic sources did not care to report this. But from the very fact, that we hear of only a few laws as being disputed by the Sadducees, we may infer that all the other traditional laws and practices were followed by them. We have, moreover, some positive proofs that confirm this. Thus we never hear that they disputed the law or custom of reading the שמע. The Am ha-Arez, described in the Talmud (Berakot 47 b) as not reading the Shema, was, in this respect, not a follower of the Sadducees, as Chwolson in his Beiträge zur Entwicklungsgeschichte des Judentums (Leipzig 1910) p. 6 assumes. From the Mishnah Tamid V, 1 we learn that the שמע was read daily by the priests in the Temple, and we know that the temple service of the priests, was, with the exception of the last 40 or 50 years of the temple existence, arranged according to Sadducean principles. Accordingly the Sadducees must have observed the practice of reading the שמע, although it is not a Biblical law. For according to Samuel (Berakoth 21 a) it is merely a rabbinic institution קריאת שמע דרבנן היא. It was probably instituted by the Soferim (Compare Pineles Darkah shel Torah p. 19—20). And in the case of חיבוט ערבה we have seen above that they objected only to its being performed on a Sabbath day but practised it on week days. From Matthew XVI 11—12 where Jesus is said to have warned his disciples against the doctrines of the Sadducees and Pharisees, we also learn that there were some unwritten laws and teachings common to both of them. For Jesus could not have meant the written laws accepted by both the Sadducees and Pharisees. And the phrase דבר שהצדוקים מודין בו (Horayoth 5 a b) although it primarily means the written laws, also refers to certain traditional laws which were accepted by the Sadducees and therefore considered as undisputable, like the laws of the written Torah.

although some were as old as the written Law, were not incorporated in the Torah, they evidently were not meant to be like the written Law, always binding upon the people. And they were certainly not accepted by the people as such, for they were not included in the Torah which the people had by oath pledged themselves to obey. For in taking this oath to obey the Law, the people had in mind only the Law as contained in the book read to them by Ezra. And from the very fact, that so many laws and customs although not contained in the Book of the Law and consequently not absolutely obligatory had nevertheless been observed and practised, with the sanction of the former teachers and priests, side by side with the written laws, the Sadducees drew the logical conclusion, that the Law as contained in the Book was not intended to be all-comprehensive capable of regulating the life of the people in all aspects. At least it was never so understood by the teachers nor regarded by the people. Accordingly, they held that the Torah was meant by its giver and considered by the people who accepted it, to be merely the Book containing the main and absolute laws, to be always observed and never transgressed nor abrogated. But in addition to these absolute laws the representatives and rulers of the people, viz. the priests were free and empowered to adopt such rules and laws, and institute such practices as were required by new conditions to settle new cases and questions bearing upon the public and private life of the people. The passage in Deuter. XVII, commanding the people to obey the decisions of the priests and follow their instructions, expressly bestows this right upon the priests. For in its literal meaning this passage gives the priests the twofold authority, to teach and interpret the Torah, and also to institute statutes and ordinances, independent of the written Law¹). And the historic facts proved that the former priests and teachers availed

¹) The passage **על פי המשפט אשר יאמרו לך** really means, according to the decision or rule which they will tell you as their own opinion not in the name of the Law. For if it meant only the decisions which they will give as derived from, and in the name of, the Law, it would be repeating what is said in the passage **על פי התורה אשר יורוך**. The following passage (Deuteronomy XVII 12) threatening punishment to the man who refuses to obey the priest **לבלתי שמוע** אל הכהן, also speaks of the authority of the priest as such. For if it meant only, the man who refuses to listen to the instruction from the Torah, given by the priest, it would say **לבלתי שמוע אל דברי התורה**. That the passage Deuter. XVII 11 really meant to give to the authorities the power to decide questions independently of the Torah, is evident from the fact that the Pharisees, after supplanting the authority of the priests by that of the teachers, also interpreted the passage to mean, "even if they tell you about something apparently wrong, that it is right, or vice versa, you

neutics, or develop methods of interpretation to enable them to force their laws and decisions into the meaning of the words of the Torah, so as to pass off their own rules and decisions as part of, or derived from, a mosaic law, thus making them of equal authority with, and of the same binding character as the written Law. For, in their opinion, no other laws could ever acquire the authority of the Laws of the Torah, not even such, as are derived by means of interpretation, מדרש חכמים. For, the Torah itself acquired its absolute authority only from the oath by which the people had pledged themselves to obey it ¹). The binding power of the oath, however, could not extend beyond the plain meaning of the words of the Law, as the people who took the oath understood

¹) The idea that the binding character of the Torah is derived from the oath and the promise of the people and from the curse imposed upon those who would transgress it, finds its expression in many passages of the Torah itself where the covenant is mentioned, especially in Deuteronomy XXIX 9—XXX 20. It is further evident from the fact that the people in the days of Ezra and Nehemiah actually entered into a covenant and pledged themselves by oath to keep the Law (Nehemiah X), that such an oath was considered necessary to secure allegiance to the Law. According to ancient belief the best way to enforce obedience to the Law, especially to bind future generations to keep it, was to impose a curse upon its transgressors. For an oath was regarded as eternally binding, its violation bringing the curse as a necessary consequence. Thus the oath imposed by Joseph upon his brothers to take his remains along with them was considered as binding upon their descendants (Genesis L, 25 Exodus XIII, 19). And the curse imposed by Joshua upon any one who would rebuild Jericho (Joshua VI 26) is said to have had its effect after many generations (I Kings XVI, 34). For this reason the covenant could be made even with those not present on that day and was considered as binding upon the children forever (Deuter. XXIX, 13, 14 and 28). Again in Daniel IX, 11 the idea is expressed, that as a necessary result of their transgression of the Law the stipulated curse had to come and was poured out upon the people of Israel.

In as much as the people in the time of Ezra and Nehemiah accepted the Law only with reluctance, the oath and the curse were necessary to compel them to accept the Law and to secure obedience to it by future generations. It was however, natural that, as a result of this process of forcing the Law upon the people by means of the oath and the curse, the tendency developed among the people as well as among the priests, on the one hand, to be very strict and rigorous in keeping the Law, in order to prevent the possible evil effect of violating the oath, i. e. the stipulated curse, and on the other hand, not to keep more than was absolutely necessary to accomplish this end, i. e. to comply with the oath. This attitude towards the Law, based on a superstitious belief in the necessary evil effect of the curse, was originally common to almost all the people. It was an old belief which the Sadducees still retained. That this was an old belief, firmly rooted in the minds of the people, is evident from the fact that even the Pharisees who opposed the older attitude towards the Law, and tried to base the Law's authority upon its being the Divine Command and not on the promise or the oath with which the people had pledged themselves to keep it, even

it. The Sadducees distinguished strictly between the absolutely binding written laws and their own additional laws and decisions¹). The latter they considered merely as temporary decrees and ordinances, גזירות, issued for the time being by the ruling authorities as necessary for the welfare of the community, to meet certain needs. They were authoritative only as long as they were considered necessary or feasible by the leaders and rulers of the community. For the same reason they did not consider the decisions and practices instituted by their predecessors, the priests and teachers of former generations, which constituted the traditional Laws of absolute authority like the written Law. Hence their peculiar attitude towards the traditional Law and their objection to its authority. They did not deny the existence of these old traditional Laws, for they themselves were the possessors and transmitters of the same. Nor did they reject them as spurious or as without any authority, for, they recognised the right of former priests and teachers to enact such laws. They only refused to consider these traditional Laws as of authority absolute and equal with the written laws contained in the Torah. For the latter, they maintained, the people had accepted in covenant and had pledged themselves by

they could not entirely free themselves from this old superstitious belief. Many sayings in Talmudic literature give expression to this old superstitious belief and show that even in the minds of the later talmudic teachers the binding authority of the Law was associated with the binding force of the oath with which it had been accepted. Thus, for instance, to express the obligation that rests upon the Jew to keep the Law the rabbis very often use the phrase מושבע יעומד מדר סיני "he is bound by the oath taken at Sinai" (Mishnah Shebuoth III, 6 and Talmud Shebuoth 21 b, 22 b, 23 b, 25 a b and Nedarim 8 a). Another saying tells us that Moses expressly told the people that he imposed upon them the oath to keep the Law not according to whatever mental reservation, they might have in their mind but according to what he, Moses, and God had in mind לא על דעתכם אני משביע אתכם אלא על דעתי ועל דעת המקום (ibidem 25 a compare also Shebuoth 29 a). This means that they are bound to keep the two Torah's, written and oral, according to the meaning intended by Moses, which, of course the rabbis claim to give in their interpretations. Again in Tanhuma Nizabim (Buber 25 a) we are told that God had entered with Israel three times into a covenant, and the third time he had fixed a curse upon those who might repudiate it. It should further be noticed, that the idea that the Jew is bound by oath to keep the Law is also found in Karaitic literature (see for instance Bashyazi, Aderet Eliyahu p. 222 d and p. 225 a) which is additional evidence that it was an old and common Jewish belief.

¹) They considered it a violation of the prohibition mentioned in Deuter. XIII, 1 to make other laws of equal authority with the Torah. But in making their additional laws merely for temporary use, and not of equally binding force with the written Law, they thought that they were not adding anything to the Law as such.

oath to keep them for all times, and there was, in their opinion, no way of freeing themselves from the obligation of the oath. But the traditional Laws the people had never accepted in covenant and had never formally bound themselves to keep, hence they were under no obligation to observe them. The people had observed these traditional Laws, merely in obedience to the ruling authorities and following the instructions and directions of the priests and leaders, who in their time had seen fit to institute these laws. It, therefore, rested with the priestly leaders of the time to decide whether these traditional customs and laws instituted by their predecessors, should be observed or abolished. In this way, only, did they deny the compulsory character of the traditional Laws, as Josephus correctly reports.

Viewed in this light, we find in their attitude towards tradition not the slightest inconsistency. It was quite in keeping with their conservative character and reactionary tendencies. For their apparent denial of the authority of tradition was merely a different interpretation of that authority and of the character of its laws. Psychologically this was the result of their tendency to maintain the old traditional ways, by upholding the exclusive traditional authority of the priests. And logically it was the result of their peculiar attitude towards the written Law in considering its binding character not as something inherent but as something bestowed upon it from without. For the Sadducees respected the written Law not because they admired it or considered it the Divine Law, containing the highest truths to which they had to give their inner intellectual consent, but because of the binding force of the oath by which their forefathers had accepted it. The violation of this oath necessarily entailed all the evil consequences of the curse. This peculiar attitude towards the Law had a twofold effect. On the one hand it divorced the Law from life, and on the other hand it made them blind slaves to the letter of the Law without regard for its spirit. It divorced the Law from life, in that it made the two absolutely independent of each other. For if the Law had to be kept only because of the oath, it was altogether sufficient that the oath only be kept. But, since they had never taken any oath to refrain from obeying other laws, life itself could in the main be regulated by other laws of independent origin, instituted and abrogated by the ruling authorities without affecting in the least, the obligation of the oath. On the other hand it made them blind slaves, to the letter of the Law in that it necessarily excluded all possibility of development and progress in the Law. For, since the Law had to be kept only because the people had promised

under oath to keep it, then it had to be kept in its plain literal sense as the people who took the oath understood it. It need not meet with the approval of our reason or conscience and, therefore, need neither be interpreted nor explained so as to meet changed conditions and satisfy new views resulting from these changed conditions. The necessary result of such an uncompromising, unprogressive attitude was that the ritual laws gained in prominence and the religious life became centered in such ritual laws as could be maintained and observed strictly and literally. In practical every day life, outside of the Temple, the Sadducees in the course of time necessarily came more and more to ignore and transgress the religious laws, simply because under the circumstances it was impossible to observe them literally. The religious Law then, thus divorced from life instead of actually controlling it, degenerated into a matter of the sanctuary. It became mere formalism and ritualism, to be observed only in the Temple, where alone it could always be kept strictly in the old traditional way. But it lost entirely all influence upon life.

III.

The *חכמי ישראל*, i. e. the lay-teachers of Israelitic descent, not belonging to the priestly aristocracy had altogether different views about the authority of the Law and Tradition. And the Pharisees, who, as a party, grew out of, and followed, the non-priestly teachers, based their attitude towards the Law and Tradition upon the views held and developed by these teachers.

These *חכמי ישראל* who had never been permitted to share in the authority of the priests, now on their part refused to recognise this authority of the priests, and began to dispute, not the right of the priests to their privileges as such, but the character and extent of these privileges. Like the priests they also recognised the Law as the only authority. But they claimed that the Law was the heritage of the entire house of Jacob, the common possession of all the people, and that the priests had no monopoly in it. Except that certain functions were assigned to them, which they had to perform and for which they received as compensation certain privileges, the priests, so the lay-teachers claimed, were in no way better or more privileged and had no more rights than the rest of the people. Since there was no authority other than the Law, all who knew the Law, i. e. its teachers, whether priests or Israelites, could speak in its name and represent its authority. But, both alike, priests and Israelites could only speak in the name and the authority of the Law and had no

authority of their own. Consequently these lay-teachers denied the authority claimed by the priests to enact laws necessary for the regulation of the life of the people. In their opinion the passage in Deuter. XVII, on which the priests based their claim, did not give the priests any special authority besides the Law. It did not bestow upon them the right to institute laws or introduce customs, independent of the Law, not even for temporary use. It gave them only the right to interpret the Law and decide questions according to it. Even this right was not given to them because they were priests as a hereditary class privilege or special family distinction. It was given to them only because and for as long as they were the teachers of the Law, and it was equally given to Israelites who were teachers of the Law i. e. to the *חכמי ישראל*. Again, these teachers argued, since, there was no authority other than the Law there could not have been and there never were any other additional laws enacted by priests as ruling authorities. Every rule or decree for the regulation of the life of people to have any authority necessarily must be based on or derived from the Law. For the sovereign authority of the Torah suffered neither repudiation of nor additions to its laws. It expressly forbids in Deuter. XIII, 1, the slightest addition to its commandments i. e. it prohibits the enactment of any additional laws. The Torah alone is sufficient to regulate the life of the people in all aspects. As a logical consequence of this view these lay-teachers had to expand the connotation of the term Torah beyond the literal meaning of the written word, and make it the basis for new decisions and rules necessary for their times. To achieve this latter end these lay-teachers applied new methods of interpretation and developed rules of hermeneutics by which they could read new meanings into the Law and get out of it new decisions and rules.

By that psychological process which makes things dear to us grow in value and importance, it was easier for these lay-teachers to do this, viz. to find the Law all-comprehensive, containing all they needed. For these lay-teachers were now new claimants of authority in the name of the Law. And this Law which they thus claimed to represent, and which was to bestow upon them equal rights with the priests and to give them privileges which they had never before enjoyed, naturally meant much more to them, than to the priests, who were not so much dependent upon the Law for their already time-honoured privileges and well-established social position. To the lay-teachers the Law was a newly acquired *כלי חמדה*, a precious vessel which contained for them the greatest blessing and they valued it accordingly and revered it more than the priests. For

the latter had for so long a time been familiar with the Law and accustomed to administer it that naturally they could not regard it with the same awe and reverence as the new aspirants. The lay-teachers looked upon the Torah not as a mere constitution or code to which the people had pledged their allegiance by oath. In their opinion the Torah was much more than a constitution and not to be compared with any other code. It was the חוקי ד' תמימה the Law of God, most perfect, representing the Divine authority and containing the highest wisdom and loftiest truths. And being such, this perfect, Divine Law had to be sufficient for all times to guide and contrall the entire life of the people. For as a Divine and perfect Law it must not be understood in its simple sense and in its literal meaning only, like any other man-made law. Its words have deeper meanings, and if properly interpreted, can furnish decisions for all possible cases and give answers to all possible questions. This perfect, Divine Law certainly does not need the priests to complete it by enacting additional laws. For from the principles laid down and from certain indications and peculiar expressions, contained in it, one can derive much better and wiser laws, necessary for the changed conditions, than the ruling priests and chiefs could by their vain reasoning and foolish arguments devise and enact. This principle is expressed in the oft-repeated Pharisaic argument לא תהא תורה שלימה שלכם (1).¹

Of course, a psychological motive, if not the motive, for thus exalting the Law might have been their desire to dispute the rights and privileges of the priestly aristocrats of their own times. By declaring the Law the absolute and all-sufficient authority that neither needs nor suffers any other authority, they invalidated most effectively the claim of the priests that laws additional to the Torah are necessary and permissible and that they, the priests, had the right and the authority to enact them. But once these lay-teachers denied to their opponents,

¹) Scholion to Meg. Taamit (Neubauer pp. 4, 11, 14) and in the parallel passage B. B. 116 a. This was an old Pharisaic principle, of which Johanan b. Zakkai made use in his disputes with the Sadducees. Later teachers however, knowing that Johanan b. Zakkai used this argument against the Sadducees, but not recollecting correctly when so used reported him to have applied it even on occasions when it was not appropriate, and when the Sadducees could rightly reply פוטריני בכך אחא פוטריני. It is also possible that this principle had originally a positive meaning, viz. our Torah shall not be considered like your idle talk, that is to say it must not be interpreted like a human code, we must apply to it other standards. In this sense the principle was a protest against the Sadducean rule that the Torah speaks in human language and is to be treated like any other law-code (see above p. 8 note 1).

the priests of their own times, any authority independent of or additional to the Law, they had consistently to go one step farther, and deny the same also to the priests and leaders of former generations. For there was no principle by which to distinguish between priests and priests. If Deuteronomy XVII 8—13, as these lay-teachers interpreted it, gives the priests only the authority as teachers to interpret the Law, then the former priests and teachers could by right not have done more than merely interpret the Law and decide questions according to it. They could not have exercised any greater authority nor enacted independent laws, for this the Law did not grant.

But then this question presented itself. By what authority then, if not that of the priests and teachers of former generations, were all the traditional laws and customs enacted which were not written in the Law and yet obeyed and observed by the people? To say, that they were merely customs, observed by the people, or temporary laws instituted by the priests, without any real authority, would mean to admit that the life of the people in the past was controlled not exclusively by the authority of the Law but also by regulations of the people or ruling authorities. This, however, would have defeated the arguments of these lay-teachers and refuted their claim that the Law alone must control the entire life of the people. How could they deny that the life of the people may be controlled by additional laws enacted by the priests, and at the same time admit that this was the practice in former ages? Besides, some of these traditional laws were too highly respected by them and considered by the people as religious laws, to be declared as having been enacted without any real authority. The only possible answer to this question that would be in keeping with this tendency of the lay-teachers, to deny the authority of the priests, and yet save the character of these traditional laws, was, therefore, to declare that these traditional laws and customs were not independent additional laws enacted by former teachers and priests on their own authority, for they had none, but merely interpretations and applications of the Law, as understood by them, and given in the name and by the authority of the Law itself. Consequently these traditional laws are as absolutely binding as the written laws, since they are actually part of the Torah, indicated in it, or implied in its fuller meaning, as the teachers of former generations properly understood it.

This declaration that the traditional laws were not independent laws enacted by former teachers, but part of the Torah, led to the final step, of raising tradition to the importance of the Torah. This position

taken by the lay-teachers and the Pharisees that followed them had the effect of giving to the oral law authority equal to the written Law. For certain traditional laws and customs could in no way be connected with the written Torah and represented as part, or derived from an interpretation, of a written Law. Such traditional laws, it would seem, could not but be considered as additional laws to the Torah. How, then, in the face of such existing traditional laws could the Pharisaic teachers maintain their principal contention that they had a *תורה שלמה*, a perfect Torah that has no need of any additional laws and to which additional laws were never made? Simply, by giving a broader definition to the term, Torah, and declaring that even those traditional laws which had no basis whatever in the written Book of the Law of Moses, were nevertheless part of the Torah of Moses, but given orally by him and handed down through the generations, by word of mouth and not in written form. For there was a twofold Torah given by God to Moses, written and oral. To this twofold Torah the prohibition in Deuter. XIII, 1, refers, when it forbids to add to or subtract from the laws which Moses commanded. This prohibition was never violated, for nothing was ever added to the laws of Moses. All the laws observed by the Jewish people, were laws of Moses, either expressly stated or indicated in, or derived from the words of the written Law, or handed down by oral tradition, but none of them originated after the time of Moses, for no additions were ever allowed to the laws of Moses. Not only could not the former priests and leaders but even the prophets never attempted to, add any new ordinance to the laws of Moses¹). Extreme as such

¹) The passage in Leviticus XXVII, 34 had been interpreted by the Pharisaic teachers to mean that no prophet could add anything to the Law, after it had been given on Sinai *שאין נביא רשאי לחדש דבר* (Sifra Beḥukotai XIII end). This interpretation is often quoted as if it were part of the actual text of Leviticus *והכתיב* (Sabbath 104 a and parallels) which proves that it is very old. From Temurah 16 a we see that this interpretation was understood to apply even to Joshua and Samuel, who when some of the Laws of Moses had been forgotten, could not as prophets have tried to restore them. This shows that the purpose of this saying was to express that the Torah of Moses was absolutely complete and perfect and never needed or suffered any additions. It was directed against the Sadducees, not as Weiss (Dor. II p. 7) assumes, against Christianity. The Rabbis would not have used this saying against Christianity, for this would have implied that they admitted that Jesus or Paul had some claim to prophecy and only denied them the right even as prophets to change the Law. Weiss' question, why emphasise this saying when no prophet attempted to change the Law, is sufficiently

conclusions may appear to us, they were none the less arrived at by the old teachers almost unconsciously by what appears to be a very simple method of reasoning. If the people were to obey only the Law given by God to Moses, then it presumably follows that whatever laws the people did obey must have been given to Moses. And when once it was declared that the traditional laws also were the laws of Moses, even though not contained in the Book, it was easy to include in this category also those traditional laws which apparently were of later origin or even of recent date, thus maintaining consistently that there was not a law observed by the Jewish people which had not been given by Moses. Accordingly, when confronted with laws and practices, known to have been decreed at a certain time and by certain teachers or prophets, the Pharisaic teacher would declare שכחום וחורו ויסרום¹⁾ that such laws were really Mosaic, but had been forgotten and only afterwards recalled and reintroduced by that teacher or prophet, to whom they were then erroneously ascribed.

These were the ideas and principles of the Pharisees, the party that grew out of and followed the חכמי ישראל²⁾. Of course, all these

answered by our explanation that it was to emphasise the idea of a תורה שלימה. And at the time, when this saying was first expressed there was danger of some authorities making new laws, even though they were no prophets.

¹⁾ Although the saying שכחום וחורו ויסרום is found used only by Amoraim, it is a very old saying which the Amoraim merely quoted and repeated. It is as old as the saying שאין נביא רשאי לחדש דבר מעתה to which it forms a corollary. It is used as an answer to objections raised against the latter principle (Sabbath 104 a) and to account for innovations said to have been made by the prophets. Thus the contradiction between the statement that the ceremony of ערבה was a Mosaic law הלל"מ"ם and the other statement which described the same ceremony as an institution of the prophets נביאים is removed by applying the principle שכחום וחורו ויסרום (Sukkah 44 a). Another similar way of accounting for some new laws mentioned by the prophets and not found in the Torah, was to assume that such laws were traditional laws received from Moses which the prophets merely happened to mention or express in their writing נמרא גמיר לה ואחא גמרא אקרא יחוקאל אסמכה Taanit 17 b.

²⁾ The original name of the party was חכמי ישראל or simply חכמים in contradistinction to the name חכמי כהנים or צדוקים. In Mishnah Makkot I, 6 and in Baraitha (Makkot 5, b) as well as in the Scholion to Meg. Taanit (Neubauer p. 1 and 9) the name חכמים is used for the party opposed to the Sadducees. That under חכמים were meant lay teachers of Israelitic, non-priestly descent, follows from the account in Scholion to Meg. Taanit (Neubauer p. 17) that, at first the Sadducees composed the Sanhedrin and with the exception of Simon b. Shetah there was not one Israelite among them ולא היה אחד מישראל יושב עמם. And when Simon is reported to have succeeded in substituting Pharisaic members for the Sadducees, the report reads (ibidem) נסתלקה כנהדרין של צדוקים וישבה

views and theories did not originate at one and the same time. They developed gradually and it must have taken some time till the system was completed. But we can see clearly how, and by what process, these theories developed, and we find them absolutely consistent with, nay even resulting from, the main tendency of these lay-teachers, and of the Pharisaic party that followed them, viz. to dispute the particular privileges of the aristocratic priests and deny them any special authority in religious matters. To dispute successfully the right of the priests to enact new laws necessary for the changed conditions, they had on the one hand to maintain that the priests never had such a right or authority, and on the other hand to insist on the completeness of the Torah and its sufficiency to provide for all cases and conditions. Consequently they had to deny that any of the traditional laws originated from, or were enacted by the priests or teachers of former generations later than the written Law. They had to insist that they were all enacted by the same author and lawgiver as the written Law. Thus we see that the Pharisees or the teachers whom they followed, the חכמי ישראל, did not invent any traditions which the Sadducees did not know, or could dispute; they merely invested the traditional law, common to both of them, with a binding character and greater authority by raising it to the rank of a twin sister to the written Law.

סנהדרין של ישראל where חכמי ישראל stands for חכמי ישראל in opposition to צדוקים who were כהנים. This is even more evident from the report about the conflict between John Hyrcan and the Pharisees (Kiddushin 66 a) whence we can learn, when and perhaps also why the name פרושים was first given to these lay-teachers. In this report the Pharisees are called חכמי ישראל. Only in the mouth of their accuser Eleazar b. Poirah they are called פרושים, when he accuses them of being at heart opposed to the king ללבם של פרושים עליך. If the name פרושים was really used by Eleazar, then, we learn from this report that the name was given to them by their enemy, describing them as "separatists". In applying this name to the teachers, Eleazar meant to criticise their attitude and tell the king that they formed a separate group not as loyal to the king as the rest of the people and not sharing in the peoples joy in his success. But it is also possible that Eleazar used another perhaps disparaging name, for which the word פרושים was later substituted. In this case the phrase ויבדלו חכמי ישראל בועם "and the Israelitic teachers were dismissed" or perhaps "expelled from the Sanhedrin" will give us the origin of the name פרושים. The wise teachers who were thus dismissed from the king's council and expelled from the Sanhedrin were called נבדלים the excluded ones or expelled ones, or פרושים. This name originally given to them by their enemies they later accepted and it remained the name of their party. Only, they may have interpreted it to mean, not that they had been expelled but that they themselves left the Sanhedrin and separated themselves from the wicked Sadducees with whom they would not sit together.

This recognition of the absolute authority of tradition, and of the superiority of the Torah to any other code or lawbook, not only did not hinder, but even helped and furthered the progressive tendencies of the Pharisees. With all their submission to the Law as the sole and absolute authority, the Pharisaic teachers did not become the slaves of the Law, but rather the masters of it. Their very respect for the Law had the necessary result that they could make of it whatever they pleased, for the Law was now in their hands, capable of development along all possible lines. The declaration that the Law is unlike any other code and does not "speak in human language" implied, that it could be interpreted to mean and contain anything which the teachers would read into it. Again the close and intimate connection between Law and life, on which the Pharisees insisted, also implied the possibility of the growth and development of the Law and its adaptability to the needs of the life of each successive generation. The demand that the entire life of the people be controlled by the Law, necessarily brought about the effect that the Law became in turn controlled by life and its conditions. For the authority of the Law with the Pharisaic teachers, was based not on the binding force of the oath with which the people had pledged themselves to obey it, but on its being the Divine Law, containing all that is true, to which they had to give their inner consent and approval. The result of this view of the Law was that its teachings and commandments had to be interpreted in conformity with the standard of the teachers of each generation, and made to harmonise with their advanced ideas. This was not done by a conscious effort to harmonise. It was accomplished by an almost unconscious psychological process. The teachers, in their admiration for the Law, could not imagine that it could contain anything wrong or express something of which they could not fully approve. Accordingly, when in the course of time and with the development of their ideas of life, they had outgrown a certain law, and could no more accept it in its original meaning they unconsciously gave that law a new and more acceptable meaning ¹).

¹) The best illustration of the effect of the broadening conscience of the teachers upon the interpretation of the Law is the change in the interpretation of the law of retaliation (Exod. XXI 24—25). Originally this law was understood in its literal meaning מִשְׁמַלְמֶלֶךְ as interpreted by the Sadducees and by the older Halakah represented by R. Eliezer (B. K. 84 a). But when the conscience of the teachers developed and their ideas of punishment become more humane, they could not imagine that the Divine Law could decree or sanction such cruelty. They, therefore, could not believe that it was ever meant literally, and in good faith they interpreted it to mean merely

Thus the element of evolution and progress was injected into the Law. With the ever growing conscience and broadening views of the teachers, the meaning of the Law and the conception of its underlying ideas broadened and developed. For the Law could never mean anything else than what the teachers understood it to mean. This identification of the Law with the ever growing and changing ideas of the teachers, in the course of time even extended the authority of the Law to the very decrees and enactments of the teachers. And after the final victory over the Sadducees, when the Pharisaic teachers alone were the recognised religious authorities, they claimed for themselves the right, which the Sadducees of old had claimed for the priests only, viz. to enact new laws necessary for their time. This right they derived from the very same passage in Deuteronomy XVII, formerly used by the Sadducees, which they now applied to themselves instead of to the priests. Thus they derived from the words **לֹא חֶסֶד** the right to enact new laws binding upon the people. Only they claimed that whatever laws they enacted were in accordance with the actual spirit and the fundamental principles of the Law. It was due to this progressive tendency of the Pharisees, that their interpretation of Judaism continued to develop and remained an ever living force in Jewry. On the other hand Sadducaism, because of its rigid conservatism in following the letter of the Law, gradually lost all influence upon the life of the main body of the Jewish people.

כֶּמֶן monetary compensation. Other illustrations of how the rabbis actually invalidated laws which no more appealed to them, are their interpretations of the Laws of Deuter. XXI 18—21 and XIII 13—18. Compare also Pineles *Darkoh shel Torah* p. 8—9.

Dreams as a Cause of Literary Compositions

by

Prof. Henry Malter, Ph. D., Dropsie College, Philadelphia.

Mediæval Hebrew literature affords many instances of books said to have originated in dreams. There is even a whole collection of Responsa, called *שאלות ותשובות מן השמים*, by Jacob Halewi of Marvège, France, a Talmudist of the thirteenth century, who claims that all the decisions contained in his work, were communicated to him in dreams; comp. on him and his work Steinschneider, *Hebr. Bibliographie*, XIV, 122, 131. The book was recently republished with a commentary, *קסת הסופר*, Krakau 1895; see *Zeitschrift für hebr. Bibliographie*, I, 7. Jacob Halewi found an imitator in Baruk Feitosi (*פיתוסי*), an author of the eighteenth century, who composed a similar work under the title *הן חלום בלא דברים*, *קונטרסים*; comp. Steinschneider, l. c., p. 124, where also instances from Mohammedan literature are cited.

Moses b. Jacob of Coucy (1235) relates in his introduction to סמ"ג that the inspiration to write this work as well as the plan of its composition came to him in a dream. His words are: בתחלת אלף השישי בא אלי ענין מראה בחלום קום עשה ספר תורה משני חלקים ואחבונן על המראה והנה השני חלקים לכתוב ספר מצות עשה בחלק אחד וספר מצות לא תעשה בחלק שני ולכן הנני משה בן יעקב לחבר שני הספרים. וגם בענין לאוין בא אלי בחלום ענין מראה כזה הלשון הנה שכחת את העקר השמר לך פן תשכח את ד' אלהיך כי לא היה בדעתי לחברו במנין הלאוין וגם רבנו משה לא הוכירו ואחבונן אליו בבקר והנה יסוד גדול הוא ביראת השם וחברתי בעקרים גדולים במקומן והשם אלהים יודע כי לפי דעתי איני משקר *comp. S. Kohn, Mardocheiben Hillel, Breslau 1878, p. 32 note. 4*

Abraham Ibn Ezra in his preface to *אגרת השבת*, *Kerem Chemed*, IV, 158 (re-edited by M. Friedlaender in *Transactions of the Jewish Historical Society of England*, vol. II, 1895, p. 61 ff.), designates his poem preceding that Epistle as the result

of a dream which, however, in view of the playful habit of this author is perhaps not to be taken literally. On the other hand, we find the same assurance given by Solomon Ibn Gabirol in his *שיר ענוק* published by Egers in *Zunz' Jubelschrift*, p. 193, verses 18—21.

Moses Ibn Ezra devotes the seventh chapter of his *Kitāb al-Muḥâḍarat wal-Mudhâkarat*, a most valuable work on rhetoric and poetry, to the question whether it is possible to compose poetry in dreams, and referring to the Talmudic passage *חלום אחר מששים לנבואה* (*Berakot* 57 b)¹), answers the question in the affirmative. He then quotes several examples to this effect, among them poems by Samuel ha-Nagid (published in his *Diwân* by Harkavy, *Studien und Mitteilungen*, St. Petersburg 1879, I, 77; comp. Graetz, *Geschichte* (2), VI, 17, note 2) and Isaac Ibn Ġayyât which they had composed in dreams; see Schreiner, *Révue des Études Juives*, XXII, 62 ff.

The Kabbalist Todros 'Abul'afia Halewi (1280), when in prison awaiting trial is said to have composed in a dream the two verses (quoted by Schreiner, l. c., p. 64 from Abraham Gavison's *עמר השכחה*) foretelling his acquittal; see Zunz, *Zur Geschichte*, p. 432 and Steinschneider, *Jewish Literature*, p. 346, n. 9 a; my Hebrew translation of the latter work, p. 346.

A classic example of this kind of literature, if we may call it so, is Shem Ṭob Palquera's ethical treatise which received the name *אגרת החלום* = "Treatise of the Dream", because, as the author claims, he had composed it in a dream. Palquera was not a man of superstitious beliefs, but one of the most prominent rationalists of the thirteenth century, and though we may not believe in this sort of verbal inspiration through dreams, it is quite possible that the plan of the work as well as its content in general were conceived by the author in a dream. I have recently published the treatise with introduction and notes in the *Jewish Quarterly Review* 1911 (pp. 451—501; comp. ib., 457, n. 10), where the interested reader will find the details.

Judah Leon de Modena quotes verses of 'Azariah de Rossi, as also his own, which were composed in dreams and in which they were foretold the exact dates of their deaths; see *Kerem Chemed*, V, 161.

In addition to the above instances of regular literary compositions, which, like the *אגרת החלום* of Palquera, are reported to have originated in dreams, there may be quoted some cases where single questions

¹) The Arabs claim that the dream is the 43^d part of prophecy, Ibn Chaldûn, *Prolegomena*, I, 217.

were answered, or particular legal decisions were rendered in dreams according to the assertions of the authors.

Sherira Gaon is reported by Joseph Sambari (*Neubauer Mediaeval Jewish Chronicles*, I, 117) to have asked in a dream about the coming of the Messia, and his question was answered by a verse from Scripture; comp. Schreiner, l. c., 64.

Moses Ibn Ezra in his work on poetry referred to above (Schreiner, l. c., 63) relates of Hai Gaon having been in doubt as to the meaning of an Aramaic word occurring in the Consultations (אלכעיווה) of Saadia. The latter then appeared to him in a dream and referred him to a book in which the explanation of the word was given; see Steinschneider, *Geiger's jüd. Zeitschr.* I, 302; *Hebr. Bibliographie*, XVIII, 64; Harkavy, *ספר הירושון* XXXV, n. 5.

Eliezer b. Nathan of Mayence (ראב"ן) tells in *אבן העזר* § 26 that in the year 1152 he had rendered a decision regarding *יין נסך* which, however, he subsequently reverted on account of a dream in which, by suggestion of verses from Amos 6, 6 and Isaiah 65, 4, he was informed that his original decision was wrong. A similar case is reported by Samson b. Šadoḳ (died 1312), a pupil of the famous Meir of Rothenburg, in the name of Baruk b. Isaac of Worms (1200), author of the *ספר החרומה*; see Samson's ritual work (*תשב"ץ*), Nr. 352. Another pupil of Meir of Rothenburg, Mordecai b. Hillel, who died as a martyr in the Rindfleisch persecution, 1298, relates in *מררכי* on *Baba Ḳamma*, ch. l., that his teacher, R. Meir, pronounced an halakic decision in accordance with what he was taught in a dream; see S. Kohn, *Mardochai b. Hillel*, p. 32, n. 4.

Isaac b. Moses of Vienna (1250) was in doubt whether the name of the Tanna R. 'Akiba should be spelt at the end with the letter א, or with the letter ה. In a dream he was referred to the verse *אור ורע לצדיק ולישרי לב שמחה* (Ps. 97, 11) the six words of which end with letters that spell the name עקיבה. Thereupon he named his important work after the first two words of that verse *אור ורע*; see his introduction to that work, published in Sztomir 1862, beginning. The author of the *סדר הדורות*, Warsaw 1891, p. 163, in telling this incident introduces it by the word שמעתי. Isaac's son, Hayyim, in *שאלות ותשובות ר' חיים אור ורע*, Leipzig 1865, Resp. 164, decides about the correct reading of a certain Talmudic passage according to instructions received in a dream from the then deceased Meir of Rothenburg.

Ephraim b. Samson, a French exegete of the thirteenth century, reports that R. Tam had asked the "Dispenser of Dreams", whether

S. Kohn, *Mardochai b. Hillel*, p. 32, n. 4. It is worth noticing that some of the prominent Rabbis, as Mordecai Jaffe of Prag (16th century), strongly protested against the practice of deciding legal and religious questions by dreams; see his *לבוש עיר שושן*, § 255, 9 and Horodezky, *לקורות הרבנות*, Warsaw 1911, p. 158. On the other hand, we see enlightened scholars as Simon Dūrān (died 1444) defending at length the reliability of dreams even in questions of strict science, as medicine and mathematics. Many questions in the science of medicine, he asserts, have been solved in dreams by the famous physicians Galen, Ibn Zohr (died in Sevilla 1162), and others: *וכבר נהגלו: לגאלינום הרבה ענינים מחכמת הרפואה בחלום וכן ל"ן (לאבן) זהר וזולחם*; see his *מגן אבות*, III, fol. 73 b; comp. also *ib.* 72 b, top, where he relates his own dream of an important event which took place afterwards.

The subject of dreams in general occupies much space in Jewish literature; the Talmuds and Midrashim abound in material relating to dreams, which has not yet been sufficiently exploited. A thorough search in mediæval Hebrew literature would yield material for a comprehensive monograph¹). The philosophers in particular basing themselves on various passages in the Bible, discuss the dream from the point of view of prophecy; see the references given in my article, *Jewish Quarterly Review* 1911, p. 455, note 7. For references to secular literature see Slonimski, *מציאות הנפש*, Warsaw 1880, p. 33, where also Galen is referred to. As an interesting example from general literature it is worth noticing that the famous German bard, Hans Sachs, composed his Disputation between Mrs. Piety and Mrs. Cunning (*Fra w Fr ü m k e i t* and *Fra w Schaleckheit* in mediæval German spelling) in a dream. He had set out on travel looking for work and when near Leipzig he fell asleep and dreamt the disputation; comp. Steinschneider, *Rangstreit-Literatur, im Sitzungsberichte der philosophisch-historischen Klasse der kais. Akad. der Wissenschaften in Wien*, vol. CLV (1908), IV. Abhandlung, p. 33, No. 33 b; comp. *ib.*, p. 41, No. 44 a for a Hebrew Disputation between Summer and Winter, reported likewise to have been composed in a dream. The student of English literature may be reminded of the poem *Kubla Khan* by Coleridge, which according to a note of the author is only a remnant of a larger poem, which he composed in a dream or vision.

¹) An interesting interpretation of a verse in a dream is quoted by Schechter in *Kohut's Semitic Studies*, p. 488; comp. also Azulai, *מעגל טוב*, beginning.

των ενδοξων Josh. 4, 4.

By

Prof. Max L. Margolis, Ph. D., Philadelphia.

אשר הכין מבני ישראל is the Hebrew in Josh. 4, 4 for the Greek (εξ F) των ενδοξων απο των υιων ισραηλ. The Hebrew was translated literally, as may be expected, by Aquila: לְנֶפֶשׁ חַיִּים חֲמֵשׁ עָשָׂר; Syrohex.^{ms} (so Lagarde; Field has לְנֶפֶשׁ חַיִּים; we should perhaps also read לְנֶפֶשׁ in the singular).

The Septuagintal rendering is certainly a puzzle. It is, of course, paraphrastic. But even a paraphrase must have some basis in the original. Joshua is commanded (v. 2) to take him (קח לך and, accordingly, וצו v. 3 was read by the Septuagint and is to be preferred to the Masoretic plurals) twelve men out of the people, out of every tribe a man, and order them to take twelve stones out of the Jordan and remove them to the camp. In v. 4 Joshua summons the twelve men "whom he had prepared of the children of Israel" (EV.); in v. 5 he communicates to them the order which is then executed in v. 8 ("and the children of Israel did so", i. e. through their representatives). הכין is accordingly the counterpart of קח לך. The selection of the twelve men is in the Hebrew mentioned parenthetically, in the form of a relative clause. Not so in the Greek which reads: And Joshua, having called twelve men (δωδεκα ανδρας without the article; the article — τους — was later supplied by Origen) of the honorables from the children of Israel, one out of every tribe, said unto them, etc. The translator's tendency is obvious. The twelve men selected to carry stones are not ordinary men, but men of rank (ενδοξοι). The translator no doubt took them to be the twelve princes of the tribes (comp. 22, 14; 7, 18. 19. 21), men of the same rank as the men who assisted Moses in the census (Num. 1) or the twelve spies (Num. 13). The translator is naturally under the influence of the Priests' Code and carries the נשיאים organisation which is met with in the P parts of the book also into other portions

which know nothing thereof (comp. e. g. 8, 33 where וְקָנִים, but no נְשִׂאִים are mentioned). A parallel instance is the rendering of the D phrase הַכֹּהֲנִים הַלְוִיִּם οἱ ἱερεῖς καὶ οἱ λεῖται 3, 3; 9, 6 (8, 33) where the conjunction was obliterated by later recensions but is certainly original with the Septuagint (and possibly also with the Hebrew text underlying it). The bearers of the ark are naturally, with P and the Chronicler leading the way, the Levites; the priests merely supervise the work.

Perhaps the tendency thus laid bare is sufficient to account for the peculiar translation. That is to say, the translator had no scruples about widely departing from the text if in his estimation it required transformation for harmonistic purposes. But harmonistic interpretation is usually an unconscious procedure. Because the translator is convinced that the twelve could have been none but the princes of the tribes, he unconsciously reads that idea into his text. Hence the wording of the Hebrew must be capable of having the notion of rank or office read into it. But how is that to be gotten out of הָכִין?

הָכִין, of course, means primarily "make firm, establish". Thus David perceives הָכִינוּ יְהוָה לְמֶלֶךְ כִּי הָכִינוּ יְהוָה לְמֶלֶךְ that the Lord has established him King (II Sam. 5, 12), and Solomon swears by the Lord אֲשֶׁר הָכִינוּנִי אֲשֶׁר הָכִינוּנִי "who hath established me, and set me on the throne of David" (I Kings 2, 24). The Hebrews speak of a ruler's throne, or kingdom, or house (= dynasty) as "established" נָכֹן (comp. II Sam. 7, 16; I Sam. 20, 31; II Sam. 7, 26). It is the height of literalness such as characterises the translation of the Books of the Kingdoms that "prepare" and "prepared" is used for our "establish" and "established" (comp. I Kingd. 20, 31 ἐτοιμασθήσεται, but Symm. ἐδρασθήσεται; II Kingd. 7, 26 A ἀνωρθωμένος as in the parallel passage I Chron. 17, 24; III Kingd. 2, 46 with ἐδρασθῆισης A comes from Symm.). Even the translator of the Psalms does not hesitate to render ἐτοιμος ο ἰσθμὸς σου (92 (93), 2), Symm. ἐδραῖος ο ἰσθμὸς σου; but also the free version of Proverbs writes ἐτοιμαζέται ἰσθμὸς for יִכּוֹן כְּסֵא (16, 12), Symm. Theod. ἐδρασθήσεται; contrast κατορθώσει 25, 5 (Aqu. Symm. ἐδρασθήσεται, Theod. ἐτοιμασθήσεται) and κατασταθήσεται 29, 14 (Aqu. Theod. Quinta ἐτοιμασθήσεται, Symm. ἐδρασθήσεται; retranslation from the Syriac). It was reserved for the translator of Sirach to render Sir. 47, 11

וּכְסֵא הָכִין עַל יִשְׂרָאֵל

καὶ ἔδωκεν αὐτῷ διαθήχην βασιλεῶν

וַיִּתֵּן לוֹ חֶק מִמְּלָכָה

καὶ θρόνον δοξῆς ἐν τῷ ἡλ.

Of course, the translator, in doing away with the second verb, balanced the clauses in his own way; with an eye to I Sam. 2, 8

לְהוֹשִׁיב עִם נְדִיבִים וְכִסֵּא כְבוֹד יִנְחִילם

καθίσαι μετὰ δυναστων λαων (נְדִיבִי עִם), και θρονον δοξης κατακληρονομησας αυτοις, or to Isai 22, 23

וְחִקְעֵתוֹ יִתֵּד בְּמִקּוֹם נֶאֱמָן וְהָיָה לְכִסֵּא כְבוֹד לְבֵית אָבִיו

και στηλω (var. στησω) αυτον αρχοντα εν τοπω πιστω, και εσται εις θρονον δοξης του οικου του πατρος αυτου,

the "throne of glory" was ready. In the same manner, the translator of Joshua who is to be ranged with the freer translators in the Greek Bible understood הָבִין as κατεστησε (sc. εις αρχοντας) rather than as ητοιμασε, "established" rather than "prepared", and he paraphrased ους κατεστησεν απο των υιων ιηλ or particiially τους κατασταθεντας απο των υιων ιηλ as των ενδοξων απο των υιων ιηλ; the genit. became necessary, since he obliterated the article.

He may furthermore have combined הכין with בָּן in the phrase בָּנָה וְהוֹשִׁיב עַל בָּנָיו (Gen. 40, 13), (41, 13). In the second passage the Greek reads εμε τε αποκατασθηναι επι την αρχην μου and it is interesting that one codex (f) replaces αρχην by τιμη, ("place of) honour". Perhaps our translator read הָבִין which he interpreted "placed in honour, placed upon their בָּן".

A third possibility which, however, I am far from taking seriously, is that the translator had a faulty text which read בָּנָה אֲשֶׁר בָּנָה. אשר בָּנָה has as its parallel קרא בשם Isa. 45, 4 and נשא פנים Job 32, 21. The מִשְׁוֹא פָּנִים אנשים אשר נִקְבְּיוּ בִשְׁמוֹת of Num. 1 are rendered δοξα προσωπου Sir. 32, 15. Nothing is to be gained from Sir. 45, 2 where ωμοιωσεν αυτον δοξη αγιω is a free rendering of בְּאֱלֹהִים [וַיִּכְנֶהוּ ב]; from dogmatic motives אֱלֹהִים is made to refer to the angels, the קְדִישִׁין Dan. 4, 10 and קְדִישִׁים Job 5, 1, and the introduction of δοξα emphasises the majesty of the spiritual beings above. The same amplification meets us Sir. 49, 8 where the vision (מֵרָאָה) seen by Ezekiel is designated as the vision of Glory (ορασις δοξης), or 50, 7 where the cloud (עֶנָן) in which the bow appears becomes the clouds of Glory (νεφελαι δοξης). With the former passage comp. II Chron. 2, 6 (5): The heaven and the heaven of heavens cannot contain Him (יִכְלֹלֶהוּ), Greek contain His Glory (την δοξαν αυτου); the translator clearly aims at precluding any physical conception of the Divine Omnipresence. Comp. the paraphrase of פָּנִים by δοξα Ps. 26 (27), 7 Sexta, and of שׁוֹלִים

Isa. 6, 1 Sept. Similarly we find δοξα for תְּמוּנָה Num. 12, 8; Ps. 16 (17), 15, and for חֲוָאר Sir. 42, 25; 45, 7. While in the latter two places reference is had to the Divine חֲוָאר, the word is likewise expressed by δοξα Isa. 52, 14 where the person spoken of is the Servant. On the other hand, in II Chron. 5, 13, a passage seemingly analogous to the second Sirach passage, the translator's Hebrew text apparently read והבית מלא עֲנָן בית יהוה for the Massoretic מלא עֲנָן כבוד יהוה. An innocent addition of δοξα is found Sir. 47, 6 where צִנִּיף is rendered διαδημιμα δοξης; the translator neglects to render נִלְחָם which is parallel to הכניע, exactly as he does v. 11 (see above). And to return to כְּנָה, Sir. 47, 6

ויכנוהו ברכבה

על כי ענו לו בנות

reads in the Greek translation:

οὕτως ἐν μυριασιν ἐδοξασεν αὐτον, και ηγεσεν αὐτον ἐν εὐλογiais κυ.

It is immaterial which of the two verbs δοξαζειν corresponds to; they are synonymous in the judgment of the translator.

Incidentally the following remarks on difficulties in connection with δοξα or a derivative in the Greek Bible may be subjoined. Sir. 14, 27 ובמענוחיה ישכן reads in the Greek translation: και ἐν τη δοξη αὐτης καταλυσει. The translator read ובנעמוחיה. A similar transposition of letters is responsible for εὐπρεπεια (a synonym of δοξα) in Ps. 25 (26), 8. Our text has מַעֲיִן, but the translator apparently read נַעַם (comp. Ps. 26 (27), 4 Aqu.). The use of εὐπρεπεια, on the other hand, for נֶחֱלֶה and נֶחֱלֶה habitation (II Kingd. 15, 25 Sept.; elsewhere Aqu. and Theod.) is due to confusion with נֶחֱלֶה (comp. Isa. 52, 7 Symm. Theod.; comp. also δοξαζειν for הִנֵּה Exod. 15, 2 Sept.). Interesting is the rendering in the Septuagint οἶκος εὐπρεπης (s. εὐπρεπης) for בית זָבֵל III Kingd. 8, 10. The meaning "exalt, honour" is given for the verb (occurring Gen. 31, 20) in the Oxford Gesenius. Hence Ps. 48 (49), 14 ἐκ τῆς δοξης αὐτων substantially covers the Hebrew לִזְבֹּל.

δοξα in its original sence, "notion, opinion, conjecture", is found Isa. 11, 3 for מִרְאָה עֵינִים. But elsewhere δοξα always means "good repute, honour, glory". In more than 200 instances its Hebrew equivalent is קָבוֹד. But the Greek is made to share in the semantic development of קָבוֹד. Thus δοξα is used for קָבוֹד in the sense of "wealth", comp. e. g. Gen. 31, 1. The next step is that it is employed to render הֹן Ps. 111 (112), 3 and אֵין Isa. 40, 26 (comp. Hosea 12, 9). In the Isa. passage אֵין and בָּתָּה are parallels, and elsewhere בָּתָּה is used in the

sense of "wealth" (Prov. 5, 10; Job 6, 22). Now we are able to solve the difficulty in the Greek rendering of Prov. 18, 11. The Hebrew reads:

וּכְחוּמָהּ נִשְׁגָּבָה בְּמִשְׁכָּתָהּ הִוא עֲשִׂיר קִרִית עֹו

and the Greek:

υπαρξίς πλουστου ανδρος πολίς οχυρά, η δε δοξα αὐτης μεγα επισημαζει. επισημαζει certainly points to מִשְׁכָּתָהּ; μεγα corresponds to נִשְׁגָּבָה in one 'form or another; in the place of וּכְחוּמָהּ, the translator read וְלִחְתָּהּ.

ανδρες ενδοξοι for אֲנָשֵׁי חֹסֶד Sir. 44, 1 ceases to be strange when one remembers that חֹסֶד is rendered δοξα Isa. 40, 6, and also I Esdras 1, 33 = II Chron. 35, 26 and 5, 59 (61) = Ezra 3, 11. But even מוֹב is expressed by δοξα Exod. 33, 19, just as it is made to cover צִדְקָה Sir. 44, 13.

ενδοξα is a natural enough translation of מַחְמְדִּים Isa. 64, 11 (10). Another instance is found in I Esdras 1, 56 = II Chron. 36, 19.

ως εδοξασθης, Ηλια, εν τοις θαυμαστοις σου is a correct enough translation of מָה נִרְאָה אֵתָהּ אֵלֵיהֶו Sir. 48, 4. Comp. ενδοξος for מוֹרָא Deut. 10, 21; Isa. 64, (3 2) and θαυμασια for מוֹרָאִים Deut. 34, 12.

Ezek. 7, 7 Aqu. took הָרָה in the sense of הוֹדָה. The Greek is επιδοξοτης which Aqu. uses for הוֹדָה in three other places (Ps. 44 (45), 4; 103 (104), 1; Zech. 6, 13).

Lam. 2, 11 לארץ בְּבָרִי נִשְׁפָּךְ becomes in Greek εξεχυθη εις την γην בְּבָרִי η δοξα μου. Contrast Gen. 49, 6 בְּבָרִי אֶל תַּחַר, but in the Septuagint και επι τη συστασει αυτων μη ερισαι (= תַּחַר) τα βְּבָרִי μου.

II Kings 22, 25 Lucian's text has a doublet for בְּבָרִי: (a) κατα την καταριότητα; (b) δοξασμος μου. One is tempted to postulate for the second rendering a reading בְּבָרִי with ר. But בְּבָרִי (from *בְּבָר) is just as possible. Comp. ενδοξος βְּבָר Symm. Job 31, 25 and probably also Sept. Job 34, 24. των ενδοξων in the Joshua passage with which this paper starts out reads in the Ethiopic version 'e m̄ e u e s t a k e b ū r ā n i h ō m ū. And so is Ethiopic ke br the equivalent of δοξα (comp. Gen. 45, 13 and elsewhere), and 'a k b a r a stands for δοξαζειν (Isa. 55, 5 e. g.). Perhaps we are now on the way to solving another difficulty. Ps. 44 (45), 5 the Septuagint reads

και εντεινον, και κατευσδου και βασιλευε

for the Massoretic Hebrew

וַיִּתְּנֵם צֶלַח רַכֵּב.

Of course, *αἱ ἐκτείνον* presupposes *וְהִרְרָךְ* which indeed must be accepted as what the author intended. But how is *βασιλεὺς* to be gotten out of *רכב*? The answer is, the translator read *כָּכַר* which in the light of the previous examples from Hebrew and Ethiopic is capable of being rendered, *become great, be a ruler, βασιλεὺς*. In Southern Arabic, *כבר* is indeed “governor, eponymus”. As is always the case with a difficult text, transposition of letters is the easiest remedy. The Hebrew text (consonantal) is probably corrupt, but is nevertheless nearer the original than the Greek, for *הרכב* goes back to an original *הַרְכַּב* (object *ימינך* of the end of the verse; comp. II Kings 13, 16 and in the Ahikar text of Elephantine the phrase *הרכב חט*, once *קשת ררך* precedes). *צל* remains a puzzle. But whether the result of textual corruption or not, the received Hebrew text has furnished the formula for congratulatory addresses. So on the present occasion likewise be it said,

צלח רכב על דבר אמת

The Levirate Marriage in Jewish Law.

By

Rabbi Israel I. Mattuck, A. M., London.

The law in Deuteronomy which prescribes the levirate marriage seems to be very closely related to a much older custom, but whereas a custom may be explained fully by a reference to its origin, a law that is social or economic can be explained only by assigning to it a purpose as well as finding for it a fundamental principle. This is especially true where the institution has a firm hold on a people's consciousness, a hold which it could not have retained unless it satisfied throughout some demand; for just as soon as a law fails to serve any purpose it may be retained in codes but it is not obeyed in practice. The law of the Sabbath affords an example of this distinction between custom and law. It is sufficient to explain it as a custom by tracing it to its Babylonian origin as an unlucky day, but that does not supply the reason for it when it is a law. One need only glance at the command in Deuteronomy prescribing its observance to realise that as a law it can only be explained by the fact that it is to serve a social and economic purpose. And so it is with all social legislation. Not the origins but the aims supply the explanation for the laws and for their continuance. Where therefore we find a legal institution preserving itself throughout many ages we can explain its perseverance only by its purpose.

The law of the levirate marriage was observed in practice for many centuries, before and after the promulgation of the Deuteronomic Code. The story of Tamar in Genesis XXXVIII shows the antiquity of the custom. The Book of Ruth, for example, though its central idea ¹⁾ is not exactly that of the levirate but related to it, illustrates how completely the practice was accepted. When Naomi seeks to persuade her daughters-in-law to leave her, she argues that they have nothing to

¹⁾ The motive of the author seems to be to emphasise Boaz's virtue in "building up the house" of Elimelech by marrying Ruth though he was only a distant relative.

expect because she has no sons left nor can she hope for any to come ¹). The inference is obviously that were there such sons these two young women would have had a claim upon them for marriage. It is taken for granted that the men would not have shirked the duty. Josephus mentions a levirate marriage that occurred in the reigning family of Judea ²). A whole tractate of the Talmud is devoted to the discussion of this law. That the Rabbis' interest was practical and not dialectic is proved by the actual instances recorded now and then where the marriage actually took place or was prohibited ³).

In seeking for the aim of this institution we have to rely largely upon the wording of the law itself in Deut. XXV. Our knowledge of the social conditions, in all their details, of the time in which this law was promulgated is not sufficient for us to seek more than corroboration in them for what we may gather from the law itself. If brothers dwell together, the law commands, that is on the same family estate, and one of them die without a son, the wife shall not leave the estate but her brother-in-law shall marry her. The first son born of this marriage shall become the heir of the deceased brother in order that his name shall not be blotted out from Israel. But if the man refuses to marry the widow then she should complain of him before the elders (who are the judges) and if he persists in his refusal she is, in the presence of the judges, to loose his shoe and contemptuously spit in his presence saying: Thus shall it be done to the man who refuses to build up his brother's house: and his name shall be called in Israel "The House of the Loosed Shoe".

The word יִרְדֵּי means here living on the same family estate. A similar use of it is found in Genesis 13 : 6 where Abraham finds it necessary to leave Lot because they do not find the land upon which they are living sufficient for the cattle of both; so they cannot live together. Similarly in Genesis 36 : 7 Jacob and Esau cannot live together for the same reason. The kinship between the two in each of these cases would indicate the meaning that they had been living on a family estate. In the Talmud a different meaning is given, as we shall find.

בן does not, I think, mean here son or daughter. Though the plural is used in different parts of the Pentateuch to signify both, the singular can mean here only son. If the lawgiver meant to include the case where there was a daughter he would have said probably בן או בת son or daughter, or זרע seed, the word used in some of the laws in Leviticus which conditioned the existence of children. The fact that this was later translated to include a daughter both by the Septuagint and the Rabbis is significant for understanding the purpose and development of the institution.

¹) Ruth 1 : 11 ff.

²) Antiqua XVIII ⁵.

³) Yeb. 17 a, 106 a.

The phrase *לְאִישׁ וֹר* looks very much like a gloss upon *הַחֵצִיזָה*.

The expression *עַל שֵׁם אֶחָיו הַמֵּת יָקוּם* can only mean that the first born son shall be the heir of the deceased brother. The word *שֵׁם* refers to the inheritance, the name being closely identified with a man's possessions. In the incident narrated in Number XXVII the daughters of Zelophehad in asking that they be given their father's share in the division of the land advance as their reason that their father's name be not taken away (verse 4). Here "name" can certainly mean nothing other than inheritance, for the daughters could hardly have been looked upon as a means for the perpetuation of a family name.

Verse 6 seems to supply us with the Lawgiver's own purpose. It is to provide an heir for the dead man's estate. But the question naturally arises why should there be any necessity for such an heir? — and it seems hardly sufficient to answer so that the family estate be preserved or maintained. The integrity of it would be maintained equally well and much more naturally if the brothers were given the possession of the dead man's portion. The estate which they have inherited from their father would then by a most easy means be kept intact. If it be merely to preserve the separate inheritance of the dead man what is the reason for seeking such a preservation? It is not like the maintenance of a family estate. We know, it is true, from the judgment in the case of the daughters of Zelophehad¹⁾, that they were to marry members of their own clan, that it was considered desirable to maintain the family estates intact. This desire is the basis for the command that if a member of a family grows poor and feels himself constrained to sell his landed portion it becomes the duty of the nearest kin to redeem it, i. e. to buy it from him and so retain it in the family²⁾. But these references do not prove that the portion of any individual member of a family was of such great importance that a legal fiction should be resorted to in maintaining it. Moreover this explanation of the purpose of the law, that the estate be preserved, would hardly supply a sufficient reason for its perseverance in Hebraic and Jewish life. The division into family estates must and did very soon disappear. This very change will explain to us later some of the alterations in the practice, which we find in Rabbinic law³⁾. With the purpose thus gone it is hardly probable that the institution would have retained its complete hold.

The purpose of the law must therefore be sought elsewhere. Though the maintenance of the dead man's estate may have been present in the lawgiver's mind, it could not have been his main motive. We can, how-

¹⁾ Nu. 36 : 6.

²⁾ Lev. 25 : 25.

³⁾ The interpretation e. g. of *בְּיָשְׁבוֹ אֶחָיו יִרְדּוּ*.

ever, at once distinguish his purpose by asking whom did the law in practice benefit. The widow alone was benefited by it. And it is a fair inference that her interests were here the lawgiver's care. The real purpose is revealed in verse 5. The widow shall not leave her husband's estate. Legislation in the behalf of woman is found elsewhere in this code¹⁾. The lawgiver seems particularly zealous for the care of widows and orphans. They are to share in the gleanings of the field and orchard and in the triennial tithe²⁾. The widow's garment was not to be taken as a pawn³⁾. All this indicates that the widow's lot in general was not a happy one — and the lawgiver was eager to provide for her and to protect her. This care of the weaker is in full accord with the spirit of the main body of laws in Deuteronomy. The humanitarian motive predominates.

This desire to help the childless widow explains the lawgiver's eagerness to provide an heir for the dead man's estate, for without the existence of such an heir the widow could have no claim upon her husband's property. She could not inherit it, and in the absence of one to whom she could look for maintenance she would be left to the mercy of charity or be thrown back upon the kindness of her own kin. Where however there was a son surviving her husband her maintenance depended upon him and he was duty bound to care for her. Therefore the law commands the levirate marriage only in those cases where no son was living. For this reason also the law stipulates that the dead man's estate should go to the first son that was born. Upon him would devolve the care of his mother. Her interests were thus completely safeguarded.

It is illuminating in this connection as revealing the relation of the levirate law with the rights of inheritance to refer to the law in Leviticus XXII, 13 where the daughter of a priest married to a non-priest may return to her father's home and share in the priestly perquisites of her father. The condition imposed is that she should be without children. The word used זרע (seed) includes sons and daughters. This same code gives to the daughters the right to inherit the father's property in case there are no sons⁴⁾. If therefore a man died leaving either a son or a daughter the widow could look for her maintenance to them. The daughter of a priest married to a nonpriest could only return to her

¹⁾ Deut. 21 : 10 ff. A man may not sell as a slave a woman captured in war whom he has made his wife. Ibid. verses 15 ff. Interests of the less favoured wife protected.

²⁾ Deut. 14 : 28; 24 : 19 ff.; 27 : 13.

³⁾ Deut. 24 : 17.

⁴⁾ Nu. 27 : 8.

father's house when she had no claim upon her dead husband's property. The existence of a son or daughter however would give her such a claim and preclude the necessity for return to the home of her father. It is evident that the right of the woman upon her husband's estate was altogether dependent upon the birth of an heir. In the priestly code a son or daughter gave her that right. In the Deuteronomic legislation only the son could assure to her maintenance from the estate of her husband.

Though the silence of the priestly code in the matter of the levirate marriage cannot be used as an argument, yet taken in connection with the evidence already pointed out it becomes significant. Its silence with regard to the widow even in those cases where Deuteronomy is most zealous in her interests¹⁾ leads us at once to suspect that the lot of the woman in general had improved. Her rights had evidently increased, for she could become the heir of her father's property in the absence of a son. She therefore required less care at the hands of the law-giver.

These side-lights added to the interpretation of the words of the command in Deuteronomy lead to the conclusion that by the law of the levirate marriage Deuteronomy sought to ensure the welfare of the childless widow by obtaining for her through a son a claim on her deceased husband's property.

It need only be added to further prove that the purpose of this law is the benefit of the widow, to refer to the two instances in the Bible which testify to its application as a custom or law. In the Tamar story, Genesis XXXVIII, it is the widow who is eager for the obedience to this custom, and when her evident rights are denied to her she resorts to a ruse whereby she obtains the only condition which can give her a claim upon her husband's house — the birth of a son. It is the same in the story of Ruth where again the widow, instructed by her mother-in-law, seeks the fulfilment of the practice, evidently for her advantage and the advantage of Naomi.

To aid him in this law the lawgiver utilises an older principle viz. that a man's wife was an integral part of his property and with his property could be inherited²⁾. This conception of the wife was prevalent among all ancient peoples and we have some reference to it in the historic portions of the Bible. Absalom's relations with David's wives was con-

¹⁾ Compare Lev. 19 : 10 with Deut. 24 : 20 f.

²⁾ Robertson Smith, "Kinship and Marriage in Early Arabia" p. 87.

sidered good evidence of his desire to inherit prematurely his father's throne¹). Abner was accused by Ishbosheth of an attempt at usurpation of the throne because of similar relations²). Crude as this principle seems to our mind and rather harsh toward the woman, it served her well at a time when she had no social or economic status. Linked, however, with the property of her husband she was not to be easily separated from it. In the story of Ruth the nearest relative is quite ready to redeem the estate of the deceased Elimelech when he is told that it is to be bought from Naomi, but when Boaz adds that it is to be bought also from Ruth, he refuses. The reason is evidently that this childless widow is not to be separated from the possessions of her husband, and if he takes the estate he must marry her; and because he is unwilling to do this, he is forced to yield to the next of kin who is ready to marry Ruth as well as take possession of the estate. The "redemption" of the estate involves the duty of marrying the widow. It shows how completely the two were united. This identification of the woman with the estate of her husband assured her rights which she would not otherwise have possessed — above all the right to look for support, in the event of the husband's death, to the heir.

The author of the law of Deuteronomy quite evidently utilises this principle that the wife was one with her husband's property and was inherited with it in commanding one of the surviving brothers to marry the widowed sister-in-law, considering this brother as the heir though he does not give to him ultimately the property of the deceased.

But what is the significance of the second part of the law in Deut. XXV which gives to the surviving brother a means of escape from the performance of this duty? The reluctance with which the lawgiver admits this escape is to be inferred from verse 8 where the elders of the city are told to speak to him when the widow has complained of his refusal, evidently with the intention of persuading him to change his mind. But the lawgiver does not help us to comprehend the original meaning of the ceremony of the loosening of the shoe, except by making evident that he meant it to heap contempt upon the brother-in-law. It seems not unlikely, however, that he has here but retained a very old method of divorce. Among the primitive Arabs³), the word for wife was often the same as that for some garment worn by the man.

¹) II. Samuel 16 : 22.

²) II. Samuel 3 : 7.

³) Robertson Smith, "Kinship and Marriage in Early Arabia" p. 269 Note 5.

She was called a cloak or a shoe and the like. It is conceivable therefore that a man would divorce his wife by merely throwing at her some garment, signifying that he discarded her even as he discarded that.

Compare Psalm LX. verse 10, where "I will throw my shoe upon Edom", seems to mean that God will discard the nation and no longer look with favour upon it.

This significance accords with the principle of inheritance which the lawgiver here applies. The widow becomes the wife of the brother-in-law at the death of her husband. There are no preliminaries necessary. If there were any formalities that preceded the ordinary marriage they were altogether dispensed with. When however he refused to retain her as his wife a ceremony of release was prescribed (*Ḥalizah*). This could be nothing else but a form of divorce. If this interpretation be correct the significance of the ceremony would be in the fact that she takes off his shoe instead of allowing him to throw it at her. This would no doubt be an act of contempt towards the man because it signified that she freed herself from him, rather than that he as the superior discarded her.

The act of Boaz in the Book of Ruth in taking the shoe off the nearest kin throws no light on the meaning of the custom. The author himself shows how remote its origin is from him by saying it was a custom of the ancient days: hence his evidence for its significance cannot be accepted.

The association of the levirate marriage with the rights of inheritance is emphasised in the Rabbinic interpretation and discussion of this law. It affords us the key for understanding the changes which they found and accepted in the application of the law as well as some of the extensions or limitations of it for which they are responsible. The principle enunciated by them is that the Law makes the levirate marriage depend upon the inheritance. This becomes their guide in deciding cases where there is some question as to whether the law of the levirate applies or not. In the interpretation of the Deuteronomic text itself this principle is adopted even at the expense of violence to the text¹). The word יֶחֱרִי in verse 5 no longer means the joint possession of the family estate but the law is taken to apply to any case where a brother survives who is by law admitted as the heir²). It is more than likely that the Rabbis had found this extended interpretation of the Deuteronomic injunction, since the old family estate had long ceased

¹) Yeb. 40 a. תָּלָא רַחֲמָנָא יִיבּוֹם בְּנַחֲלָה inferred from the words in Deuteronomy יָקוּם עָלָיו שֵׁם אָחִיו which the Rabbis in their interpretation refer to the brother who marries the widow.

²) Yeb. 17 b. הַמְּיֹחָרִים בְּנַחֲלָה

to exist. They forced the text to mean the exclusion of cases which probably never existed or were at least extremely seldom, viz. that the brother who was not yet born when the sister-in-law became widowed is exempt from the obligation of marrying her ¹⁾. The word בן is made to include a daughter as well as a son ²⁾.

This interpretation is also in the Septuagint and Josephus. The reason for this extended interpretation is to be found in the fact that a daughter had the right of inheritance in her father's property. The law of Numbers XXVII is accepted by the Rabbis ³⁾. Another indication of this close association of the rights of inheritance with the law of the levirate is in the interpretation of verse 6. Whereas the text in Deuteronomy distinctly means that the son first born from this marriage shall inherit the estate of the deceased, according to Rabbinic law, sanctioning what seems to be an older practice, the verse is made to apply to the brother who marries the widow that he is to inherit the estate ⁴⁾. The word בכור is made to mean that the duty of marriage devolves first upon the oldest of the surviving brothers ⁵⁾. This forced interpretation is clearly an afterthought, merely an attempt to reconcile the practice with the letter of the law. The reason for transferring the inheritance from the son to the brother-in-law is the recognition of his right to inherit his brother's property at the same time that he inherits his widow. This is in contradiction to the Rabbinic law of inheritance which puts the father before the brothers as heirs, but the importance of the levirate marriage warrants it; and even that Tana' who would maintain the proper sequence and give the inheritance to the father in case he is alive recognises the force of the argument, that if that were the law it might be interpreted to mean that the marriage should be fulfilled only when the brother-in-law receives the inheritance, but where he does not because the father is living he is exempt from fulfilling this duty ⁶⁾. These instances show how closely the law of the levirate marriage was associated with the laws of inheritance.

The principle of inheritance is applied to the widow by the Rabbis

¹⁾ Yeb. 17 b.

²⁾ Yeb. Mishna 2 : 5. Even a ממזר prevents the application of the levirate law; but the son by a slave or non-Jewess does not. The reason must be because a ממזר can be the father's heir and the others not.

³⁾ Baba Bathra 115 a and 108 b where the law of the levirate and law of inheritance are associated.

⁴⁾ Yeb. 40 a.

⁵⁾ Yeb. 24 a.

⁶⁾ Yeb. 17 b.

more clearly than it is in the Deuteronomic law. By virtue of the original marriage the childless widow is considered the wife of the brother of her deceased husband even while waiting for him to decide whether he will marry her, or release her by means of the *Ḥalizah*. He has the right, which is the right of a husband, to make her vows null and void¹⁾. He may not marry those who are forbidden to a husband because of their kinship with his wife²⁾. If she is married to another before he has released her the marriage is voidable³⁾ and, according to some, a child born of such a marriage is considered illegitimate⁴⁾. If she is guilty of illicit intercourse with another during her time of waiting there is the opinion expressed by one that she is an adulteress⁵⁾; and though there is a difference of opinion on some of these rulings, the general character of the Mishnaic dicta indicates that she was considered as his wife. There seems to be no difference of opinion, however, that after once he has released her by means of the *Ḥalizah* he may not marry her relatives of the forbidden degrees⁶⁾. They are forbidden to him just as the relatives of his own wife would be prohibited. Similarly she may not marry his relatives of the forbidden degrees. Like one divorced she is prohibited to marry a priest. On the principle itself as to whether or not she is to be considered as his wife in order that the limitations consequent upon such a relation be imposed upon him and her there is a good deal of controversy, some of the Rabbis holding that it is so even when there is more than one brother-in-law upon whom the duty may devolve, others holding that this is so when there is only one, and still another holding that in no case is she to be so considered⁷⁾. But to prove that the law on the other hand recognises the principle it is sufficient to consider the cases just cited. It is, however, significant to note that the Tana who believes she is not to be considered as his wife also believes that it is permissible to interfere with the fulfilment of the levirate command⁸⁾. It is his low valuation of the command that is responsible for his refusal to consider the widow at once the wife of the brother-in-law who is the heir.

¹⁾ Yeb. 29 a.

²⁾ Ib. 40 a.

³⁾ Ib. 92 b. אין קדושין חופסין ביבמה

⁴⁾ Ib. 92 a.

⁵⁾ Ib. 96 a.

⁶⁾ Ib. 40 a, Mishna 4 : 7.

⁷⁾ Yeb. 17 b.

⁸⁾ R. Gamaliel Yeb. 17 b f.

But why should the childless widow be at all considered as married before it is known whether the brother-in-law will marry her or release her and why considered as if she had been his wife even when he released her? It is evident that the Rabbis considered her his wife by virtue of inheritance. And when she was released the *Ḥalizah* was in effect as a bill of divorce ¹). They however hesitated to accept altogether this principle that the widow became the wife of the heir by inheritance. It was decreed that the brother-in-law gave her a contract of marriage, but the contract of her first marriage still held good in giving her the claim for the amount specified in it upon the possessions of the first husband ²). The fact that the principle of inheritance of the widow was recognised by them at all proves how closely connected it was in their minds with the levirate institution. This is further evidenced by the application of the law in cases where the brother-in-law was an illegitimate son. He could be the heir of his brothers and the widow was, therefore, part of his inheritance though the Bible forbids him to marry her ³). But the Rabbis insist that he must release her by *Ḥalizah*. On the other hand when the brother-in-law was the son of a slave or non-Jewess, the law of the levirate was not applied, for he could not be the heir of his brothers.

We have now to consider that large number of cases where the Rabbis prohibit the brother-in-law to marry the childless widow, but command that he releases her by *Ḥalizah*. Why should the release be necessary if he may not marry her? It cannot be considered as the *Ḥalizah* seems originally to have been a punishment imposed upon the man for his refusal. The answer given is because of a doubt. There is an opposition between the levirate command in Deuteronomy and the prohibition in Leviticus that a man may not marry his brother's wife ⁴). The Rabbis understood the Deuteronomic law to be intended as an exception to the incestuous prohibition, when the widow was childless. The incestuous prohibition was, therefore, suspended only when the levirate law undoubtedly applied. But when there was a doubt as to its application, they escaped by commanding

¹) A bill of divorce is given with the *Ḥalizah* (נָטָה חֲלִיצָה) Yeb. 106 a.

²) Yeb. 52 a.

³) Deut. 23 : 3.

⁴) Lev. 18 : 16 and 20 : 21. Deuteronomy seems not to have known any such prohibition. The law in Deut. 25 does not mention widows with a son because they did not need the protection of this law. There is no ground here for the inference that a widow with children was forbidden to her deceased husband's brother.

the *Ḥalizah*, thus fulfilling the levirate law after a fashion and avoiding the possibility of an incestuous marriage. Where, however, the widow was forbidden to the brother-in-law because of a Biblical prohibition of incest (other than that of brother's wife) the marriage was forbidden and the *Ḥalizah* not required¹). The instances where the marriage was forbidden but the *Ḥalizah* required were those where the marriage would have conflicted with some prohibition in the Bible other than that of incest²) or with the Rabbinic extensions of the incestuous degrees³). There is a difficulty here. The general opinion of the Rabbis is that the creditable observance of the Levirate law is the marriage not the *Ḥalizah*. They do not accept Abba Saul's suggestion that the marriage be in all cases prohibited and the *Ḥalizah* ordered because the brother-in-law married the widow not in obedience to the law but for ordinary human reasons. Even when there is no doubt of the human motives of the brother-in-law the marriage is preferred and the Levitical prohibition against marrying a brother's wife is held to be of no effect. The reason is that the marriage not *Ḥalizah* is the fulfilment of the levirate law⁴). Yet they put even those prohibitions which are their extensions of the law of incest before the levirate law so that in every such case they command the

¹) חייבי כריתות

²) חייבי לאוין such as high priest marrying a widow.

³) שניות לעריות

⁴) Yeb. 39 b quoting from Ketub. 64 and Bechoroth 13 מצות ייבום קודמת למצות חליצה בראשונה שהיין מתכווין לשם מצוה עבשו שאין מתכווין לשם מצוה אמרו מצות חליצה קודמת למצות ייבום: R. Barchanah, however, adds: חורו לאמר מצות ייבום קודמת. R. Jehuda says the man is allowed to choose for himself between ייבום and חליצה. Compare (ibid.) חנו רבנן מצוה אפילו כלומר בביאה יותר מבחליצה which Rashi explains יבמה יבא עליה accidental coition makes the sister-in-law his wife and the Gemara explains אפילו הוא שונג והיא מוידה דתרווייה לא קמכווני לשם מצוה. In Mishna 4 : 5 we read that the oldest surviving brother is asked first if he will marry the widow and if he refuses the others are asked and if all refuse the oldest is ordered to give her חליצה. Evidently the effort is to be made to get one of the brothers to marry her. R. Johana explains דהא מצוה בייבום (Yeb. 39 a). Compare also the remark by Resh Lakish (31 a) חליצה במקום יבום לאו מצוה היא. When the יבם is פצוע דכה ■ (forbidden to marry in Deut. 23 : 2) the marriage is allowed (Tosephta 11 quoted Yeb. 30 b). It seems evident from these references that the Rabbis preferred ייבום. The Samaritans confronted by the same opposition between the Levitical prohibition and the Deuteronomic levirate law solved it by applying the levirate law only when the man died while the couple were still only betrothed; but if he died after marriage the law did not apply (Jer. Yeb. 1 : 6). The Rabbis in not adopting this solution evidently held the law in greater esteem. As late as the 15th century Bertinoro (to Mishna Bechoroth 1 : 7) shows a preference for the ייבום over the חליצה.

Ḥalizah. It must be that in spite of their preference for the marriage they did consider the Ḥalizah of some effectiveness — more than a mere technical escape from the law. Is it not more than likely that they felt the need of this release because they considered the widow even in such cases the brother-in-law's wife by inheritance? Though the Ḥalizah was not the fulfilment of the law, it was necessary. Were it dispensed with it might have been allowing a man's legal wife to marry another. The Rabbis themselves utter the formula that Ḥalizah is necessary only where marriage would be possible¹). Yet they order the Ḥalizah in cases when the marriage is forbidden by their dicta as well as in some cases when it is forbidden by Biblical law²). A technical explanation of this course is not enough — there must be a real principle. The Ḥalizah releases the widow who is, because of inheritance, her husband's brother's wife. It is as a divorce.

The principle of inheritance may also explain the reason for the complete exemption of the co-wives of those who are related to the יבם in a forbidden degree (Mishna Yeb. 1 : 1). Since one of the wives of the dead man is altogether forbidden to him he cannot inherit that "house"; therefore all are exempt. The explanation of this (a prohibition in which the school of Shammai do not concur) which the Gemara gives (Yeb. 3 b f., 13 b f.), viz: that it is derived from a an extra letter in לצרור (Lev. 18 : 18) is so forced that it cannot but be an afterthought, not the logical reason for the exemption.

We must now confront another question. What consideration do the Rabbis give to the original purpose of the law? Some of them prefer in all cases the release to the actual marriage, and all of them in cases of doubt where the levirate marriage would conflict with another law forbid the marriage and prescribe the Ḥalizah. If the purpose of the law was to benefit the widow, limiting the application of the law as is here done should work hardship on her. But the widow no longer needed the protection of this law. She could have property of her own which if she was divorced or upon the death of her husband became again hers to dispose of as she pleased. Furthermore the marriage contract had come into being and was indispensable to any valid marriage, so much so that a wedding without it was considered almost illegal³). This contract assured to her a specified amount in the case of divorce or of her husband's death, and where the contract had been omitted, the law specified the amount that she was to receive. She was no longer

¹) Yeb. 3 a. כל העולה לייבום עולה לחליצה וכל שאינו עולה לייבום אינו עולה לחליצה

²) Yeb. 20 a.

³) Ket. 51 : a. כל הפוחת לבחולה ממאחיים ולאמנה ממנה הרי זו בעילה ונוה

in need of the protection that this levirate law originally assured to her: her guarantee was already established by other means. Instances were not unknown where she herself preferred the release to the marriage, and if her reasons were valid the Rabbis say that the brother-in-law should be forced to release her ¹⁾. The very fact that the Rabbis concern themselves though slightly with the question whether it is to be taken for granted that the levirate marriage is to her advantage or not (though they seem to decide that it is) shows a completely altered situation which has largely eliminated the benefits to be derived from this law ²⁾. But though the purpose is practically gone, the principle — that of inheritance — had such a complete hold on the minds of the teachers and the people that they were more than reluctant to abrogate the law, even by substituting for it the ceremony of release ³⁾.

It but remains briefly to note of what significance this is for the modern attitude to this institution. It was long ago felt that the levirate law had outlived its purpose and was practically abrogated ³⁾. Yet because of tenacity to tradition the *Ḥalizah* was clung to, though, as we have seen, the performance of it was not considered a *מצוה* and the basis of it was the principle (no longer held) that the wife was inherited by the heir and therefore required a form of divorce to allow her to marry another. We may therefore apply the Rabbis' own principle and say that only she who may be married by the brother-in-law, required the release when he is unwilling — or she for that matter — ⁴⁾; and since it has been decided that in no case should the marriage be allowed it is but the logical conclusion that in no case should the *Ḥalizah* be required. Furthermore the very principle which lay at the bottom of the whole institution is out of consonance with our modern thought. The woman is no longer a chattel belonging to her husband. To consider her as such may at one time have served the good purpose of ensuring her welfare but her rights are now guaranteed by her fully recognised status. The whole basis of the institution has, therefore, fallen away — and its usefulness has gone.

¹⁾ Makkoth 23 a. Yeb. 106 a. (Even if the *יבם* is duped into giving *חליצה* by the widow, it is valid.)

²⁾ Yeb. 118 b.

³⁾ By a Synod decree of R. Gershom of Mainz (960—1028) the *חליצה* was completely substituted. The condition of monogamy was responsible for this more than any development in the basic idea of the institution. Something may be said for retaining the levirate marriage when it would fulfil the original humanitarian purpose; but nothing at all can be said for the retention of the *Ḥalizah*.

⁴⁾ כל העולה לייבום עולה לחליצה וכל שאינו עולה לייבום אינו עולה לחליצה

Genesis 14.

By

Prof. Julian Morgenstern, Ph. D., Cincinnati.

This chapter has been the subject of critical discussion and controversy for many years. Originally regarded as one of the very oldest portions of the Pentateuch, and especially as evidencing the historicity of Abraham ¹⁾, it has, since Nöldeke's epoch-making studies ²⁾, come to be regarded generally as of comparatively late, or very late, origin and composition. Nöldeke himself regarded it as the product of the 8 th. century B. C. Wellhausen declared for a much later, post-exilic date ³⁾, and held the chapter to be a midrashic composition, designed to enhance the glory of Abraham. This view has been adopted by many modern scholars. A few however, especially König, Kittel and Sellin, still profess to regard the chapter as of earlier date, and largely, if not entirely historical. And others, among them Klostermann, and to a certain extent Gunkel, though regarding the chapter from a literary standpoint as the product of the post-exilic period, still hold that it is based upon older documents and inscriptions and has a large measure of historic reliability.

It is now generally recognised that vv. 18—20, narrating the Malkisedeq episode, are an insertion into the original text, since on the one hand they break the continuity of vv. 17 and 21, and on the other hand v. 20, stating that Abraham gave to Malkisedeq a tithe of all the booty recaptured, as the context clearly implies, contradicts the statement in v. 23, that Abraham returned to the king of Sodom all the recaptured booty, proudly refusing to retain even a shoe-latchet for himself ⁴⁾.

¹⁾ Among modern scholars particularly Hommel, "The Ancient Hebrew Tradition", 146—200.

²⁾ „Untersuchungen zur Kritik des Alten Testaments“, 156—172.

³⁾ „Die Komposition des Hexateuchs“ ³, 311 f.

⁴⁾ But cf. Hommel, op. cit. 151—158, who holds that the Malkisedeq episode is the very heart of the chapter and entirely historical. His argument is however forced and unconvincing.

But with the exception of Winckler, the probability of the correctness of whose argument Holzinger halfway admits, scholars are agreed that the remainder of the chapter is a literary unit. This is most positively asserted by Gunkel, who calmly disposes of the numerous discrepancies in the narrative by ascribing them to inaccuracy of narration and inelegance of style.

In addition to following Wellhausen in regarding v. 24 a β b as an insertion, due to the fact that there is no mention in the chapter of the allies of Abraham, other than the simple statement in v. 13 b, and no reference to the part they played in the battle, Winckler¹), following a suggestion in Kautzsch-Socin, would regard the opening sentence as reworked, and interpret it, "It came to pass in the reign of 'Amraphel, king of Šin^e'ar, that K^edorla'omer, etc. marched against Bera^c, king of Sodom". He would omit the names of the other kings on both sides, and also regard vv. 3 and 5 b—9 as additions to the original text. He is helped to this conclusion by the fact that Sodom and Gomorrha seem to be under the authority of one king, and by the further fact that in v. 10 M. T. reads only מֶלֶךְ סֹדֶם. His objection however is clearly obviated by the fact that M. T. uses throughout the plural of the verb, וַיִּפְּלוּ and וַיָּנֻסוּ, thereby certainly implying a plural subject, and that LXX, Sam. and Peš. all supply the missing עַמְרָה וּמֶלֶךְ. We must accordingly regard Winckler's effort to determine secondary material in the chapter as not entirely successful.

At the same time a careful study of the chapter, after the exclusion of vv. 18—20, shows clearly that the remainder is by no means a literary unit. The chapter clearly falls into two main divisions, (a) vv. 1—10, an introduction, and (b) vv. 10—24 (omitting vv. 18—20), the main narrative. Between these two sections such glaring inaccuracies and contradictions exist as to not only make it certain that they cannot be the work of the same author, but also to excite surprise that this conclusion was not reached earlier by critics.

Winckler has already pointed out that in vv. 1—10 there is a coalition of five Canaanite cities opposed to the four eastern kings, while vv. 11—24 speak only of Sodom and Gomorrha. While Winckler's explanation of this discrepancy is hardly correct, none the less the discrepancy exists and has significance. Again in v. 10, as emended by LXX, Sam. and Peš. the kings of Sodom and Gomorrha lose their lives in the asphalt pits into which they fall in their flight from the battle-

¹) Altorientalische Forschungen I, 101 ff.

field, while in vv. 17, 21 ff. the king of Sodom is still alive and in power. Furthermore the campaign described in vv. 1—10 is that of mighty kings against revolting cities and strange lands. Pitched battles are fought in the open field, especially with the kings of Sodom and Gomorrha, and in every case the enemy is conquered and cut to pieces and his land devastated, as the verb, *הכה*, implies. But in vv. 11—24 it is no such campaign, but much rather a Beduin raid, hurried and impetuous, upon two, apparently not overly powerful, cities. The raid is made, prisoners captured and carried away into slavery, and booty and provisions taken, and then the invaders are off again in hurried flight to the north. The similarity to the Midianite raids in the Gideon story (Jud. 6 ff.), and the raid of the Amaleqites upon unprotected Ziklag, during David's absence (I Sam. 30), are striking. In fact the story of David's pursuit of the Amaleqites and recovery of the stolen persons and goods, parallels in almost every detail this story of Abraham's pursuit of the enemy and recovery of the booty. The enemy in these verses is not the innumerable forces of four mighty kings, but is apparently so few in number as to flee, in true Beduin manner, immediately after the plundering raid upon the two cities, certainly in fear of an attack by the king of Sodom and his warriors, and is surprised and overwhelmed by Abraham and his three hundred and eighteen men. Apparently too the king of Sodom and his warriors, accustomed to city life, had no chance of overtaking the rapidly moving Beduin invaders, and so made no attempt to pursue them. This was possible only for Abraham, himself clearly represented as a Beduin, and in typical Beduin covenant with 'Aner, 'Eškol and Mamrê. This is by no means the tame and negative covenant, such as is described in Gen. 21, 22—32 and again in 26, 28—31, whereby each party agrees to do the other no hurt, but the typical Beduin covenant, consummated presumably by either eating together, or mingling blood, where both parties share common interests and obligations, to the utmost limit of offense and defense. Likewise the booty recaptured is not that which a conquering, imperial army would carry off after the sack of two mighty cities, but is the insignificant amount of food, property and captives, which would not interfere with the rapidity of Beduin retreat, and which could easily be brought back by three hundred and eighteen men. And finally the extreme magnanimity of Abraham in refusing the reward of even a shoe-latchet, in order that the king of Sodom might not be able to say that he had made Abraham rich, is that typical of a whimsical, impetuous Beduin sheikh, avaricious today, and tomorrow animated by extreme generosity, and above all always

intensely jealous of his independence and honour. It is clear that vv. 11 ff. give a typical account of Beduin life and warfare, altogether at variance with the account of imperial warfare, such as vv. 1—10 imply. It is significant too that whereas in vv. 1—10 the author shows a distinct antiquarian interest, and gives the archaic name of each place he mentions, the name, Dan, in v. 14, is unaccompanied by any mention of the pre-Israelite name of the city. It should also be noted that nowhere do vv. 11 ff. state or imply that the enemy in question is K^edorla'omer and his allies, nor are the names mentioned in vv. 1—10 repeated in vv. 11 ff. The only conclusion possible from this evidence is that the two sections are the work of different hands, and accordingly that vv. 11 ff. form the original narrative, to which vv. 1—10 were later appended as an introduction.

In the main narrative, vv. 11 ff. not only are vv. 18—20 a late insertion, but also distinct evidences of other editorial revision exist. V. 12 from רכשו on, including the second וילכו, must be editorial, as many scholars have seen. Likewise the repetition of the words מלך סדם in v. 21 must be editorial, due to the necessity of repeating the subject after the insertion of the long passage, vv. 18—20, between vv. 17 and 21. Also in v. 22 the words, אל עליון קנה שמים וארץ, are an editorial insertion, due to the mention of the deity by this particular name in vv. 18—20. And possibly, though by no means certainly, יהוה, for which Sam. reads אלהים, and which Peš. and LXX omit entirely, may stand for an original אלהים. Finally v. 17a β b is certainly editorial, introduced to harmonise the Malkiṣedeq episode with the story of Abraham and the king of Sodom. Scholars have agreed that the text implies that the 'Emeq Šavê was near Šalem, whether that be understood as Jerusalem or not. But in bringing back the recaptured booty of Sodom, there would be no reason for returning to any place other than Sodom itself. And certainly this is implied in the statement of v. 17a α that the king of Sodom came out to meet Abraham, viz. just as Abraham drew near to that city. 17 aβb is therefore clearly editorial.

As already stated, Wellhausen, followed by Winckler and others, has held that vv. 13 b and 24 b are also glosses, because no mention is made of the part of these allies of Abraham in the battle. This argument is rather forced. If v. 13 b be a gloss, we must suppose that it is of nature and origin similar to v. 12 b. But in such case instead of שכן we would expect the verb ישב in v. 13 b just as in 12 b. Also the glossator who regarded Sodom in v. 12 b as the name of a place, would

undoubtedly have done the same for 'Elonê Mamrê in v. 13 b, following after Gen. 13, 18. Consequently we would have to suppose that v. 13 b beginning with *הָאֲמָרִי*, and v. 24 b are a still later gloss, since they expressly regard 'Aner, 'Eškol and Mamrê, not as place names, but as men. On the other hand we have seen that the conception of the covenant implied here is that most characteristic of Beduin life and ideas, and is in complete accord with the remainder of the narrative. That no mention is made of the part of these men in the battle is of little significance. After the mere mention of the fact that they stood in covenant with Abraham, that they accompanied him and participated in the battle is implied, and no further statement, other than that in v. 15, describing the battle, is necessary. We therefore see absolutely no reason for not regarding vv. 13 b and 24 b as parts of the original narrative. The author probably felt impelled to give the name of the place of Abraham's sojourn and the names of his confederates for the same reason that he felt it necessary to tell that Abraham was a Hebrew.

The original narrative then consisted of vv. 11—24, with the omission of vv. 18—20, and the glosses and editorial insertions vv. 12 a β b, 17 a β b, the words *מֶלֶךְ סֹדֶם* in v. 21, and v. 22 b. With these omissions the text reads smoothly and continuously. It gives in simple and effective manner the account of a Beduin raid, in which Lot, the relative of Abraham, is captured, together with other prisoners and booty of Sodom. A fugitive brings the news to Abraham where he is encamped in the grove of his confederates, 'Aner, 'Eškol and Mamrê. He immediately musters his little band of Beduin warriors, three hundred and eighteen in all, no doubt including his confederates and their followers, and hurries in pursuit of the rapidly departing invaders. The enemy is not overtaken until they have reached the vicinity of Dan, far to the north. There, no doubt, they feel themselves outside their enemy's territory and safe from pursuit. Accordingly the narrative seems to presume that they proceed more leisurely and begin to enjoy their booty, in much the same manner as the Amaleqites did after their successful raid upon Ziklag. This enables Abraham to overtake them, in spite of their start, and also accounts for their unpreparedness and surprise by night. They are completely routed and put to flight, and the hardy Abraham dares to pursue them even unto Hōbah, far to the north of Damascus. All the captured booty and prisoners are retaken and brought back in triumph to Sodom. The king of Sodom comes out to meet Abraham, magnanimously asks only for the return of the captives, and urges Abraham to keep all the booty for himself. This Abraham as magnanimously

refuses, except for that part of the recaptured booty which his men had eaten, since presumably in their rapid pursuit they had had no time to carry provisions with them, and the portions of his three confederates, to refuse which Abraham had no right. Were the story history we would expect it to close with a brief statement that Abraham returned to the grove of Mamrê with his confederates. But being narrated clearly only to enhance Abraham's glory as a great and intrepid warrior, who dares pursue a powerful enemy even into their own territory and there gain a great victory, and also as a magnanimous sheikh, who can refuse the proffered wealth of a king, the story is complete as it stands. Evidently the original introduction to the narrative, which probably contained the name of the invading Beduin tribe, has been suppressed to make way for the later introduction, vv. 1—10.

As Wellhausen first maintained, this story is undoubtedly a midrash, composed to glorify Abraham. The use of the terms *רַכֵּשׁ*, *יְלִידֵי בֵּית* and *נֶפֶשׁ*¹⁾ points to an acquaintance with the vocabulary of P.²⁾ Contrary to general opinion, the use of the term, *עֶבְרִי*, in v. 13 presents no difficulty. While it is true that this term is used in the Bible primarily to distinguish between Israelite and non-Israelite in conversation with, or in the mouth of, the latter, none the less it is used in quite a number of Biblical passages³⁾ where reference to non-Israelites is quite remote. The use of the term here is therefore to be sufficiently accounted for by the fact that this story probably existed for some time in independent form, and therefore some specification of the nationality of Abraham was but natural, particularly since in the story he is placed in juxtaposition with the people of Sodom. The use of the term, *אַמְרִי*, in the same verse, and the fact that 'Aner, 'Eškol and Mamrê are here represented as names of men, is probably to be attributed to midrashic license or irresponsibility. Certainly there is no reason for seeing in the use of the term, *אַמְרִי*, evidence of an Elohist original of this story⁴⁾

Vv. 1—10 are, as we have seen, clearly a late introduction, artificially appended to the main story, and taking the place of one or more

¹⁾ For collection of people; cf. particularly the use of *רַכֵּשׁ* and *נֶפֶשׁ* in this same sense and connection in Gen. 12, 5 (P). *נֶפֶשׁ* is not used in this sense in the Bible in pre-exilic times, unless possibly in Jer. 43, 6. There however the word seems to be an insertion, cf. Jer. 41, 16.

²⁾ *פְּלִיט* too probably indicates a post-exilic origin. Outside of Is. 5, 29 and Mic. 6, 14, the stem, *פִּלַּט*, is found only in postexilic passages of the Bible.

³⁾ Cf. Ex. 1, 15; 2, 11, 13; 21, 2; Dt. 15, 12; Jer. 34, 9, 14. I. Sam. 13, 3, 7; 14, 21 are probably corrupt.

⁴⁾ Dillmann, Genesis, 233; Kittel, Gesch. I, 158.

verses of the original narrative. Certainly this change was not for the better, since the original story seemed complete in itself, and these new introductory verses harmonise but poorly with the following story.

However even vv. 1—10 hardly seem to be a unit. Gunkel has pointed out that v. 2 does not join syntactically with v. 1. Nor does the emendation proposed in Kautzsch-Socin, and adopted by Winckler, help in the least. This construction is equally impossible, and furthermore in v. 9 'Amraphel is said to be one of the allied kings. The alliance of the five Canaanite cities, with the names of four kings mentioned, seems suspicious, since in v. 10 only the kings of Sodom and Gomorrha are mentioned in the account of the actual battle. It has been shown ¹⁾ that the association of the names of Sodom and Gomorrha with those of 'Adma and Šebayim seems suspicious. Hosea 11, 8 speaks only of the two latter cities, while Gen. 19 mentions only the two former. Šo'ar too is mentioned only in the latter chapter. The names of the four kings seem altogether artificial. Nor is the fact that no name is given for the king of Šo'ar an argument for the authenticity of the previous four names, as it has been claimed ²⁾. In all likelihood only Sodom and Gomorrha were mentioned in the earliest form of this introduction.

V. 3 gives the same information as v. 8, and what is more, gives it entirely too early. The account in v. 8 is in the proper place. Vv. 3—7 break the continuity between vv. 2 a and 8. Nor even in the most artificial of introductions would the author dare tell that in an attempt to recapture revolting cities an invading army would take such a round-about course as that described in vv. 5—7. Rather we would expect that the invading army would march directly against the rebels, as the account seems to imply, when we omit vv. 3—7 as a late insertion. The thought of v. 9 too has already been expressed in the single word, אָרָם, in v. 8, while v. 9, as it stands here, is clearly superfluous and interrupts the continuity of the narrative in vv. 8 and 10. The order of the names of the four kings of the east differs in v. 1 from in v. 9. And since in vv. 4, 5 and 9 Kedorla'omer is clearly represented as the overlord, and furthermore since in v. 1, as Delitzsch already saw, the names are in alphabetical order, it follows that v. 1 is dependent upon v. 9, and does not represent the original reading. This probably accounts for the fact already noted that vv. 1 and 2 do not join well.

It is clear therefore that even this new introduction to the original story is not a unit, that as it stands now, it has been worked over and

¹⁾ Holzinger, Genesis, 142; Gunkel, Genesis ³, 280.

²⁾ Gunkel, Genesis ³, 280.

considerable additions made to it. The likelihood of this conclusion is increased by the further consideration that even the author of a new introduction to the original narrative would hardly have ventured to make his introduction as long as, or longer than, the main narrative. It follows therefore that the original secondary introduction consisted only of vv. 2 a, omitting the names of the kings of Sodom and Gomorrha, 8 a α b and 10. Since in these verses the names of K^edorla'omer and his confederates do not occur, it is almost certain that in the original opening verse of this introduction, for which the present v. 1 was later substituted, the names now mentioned there did not occur, but rather the names of enemies closer home, with whom the kings of Sodom and Gomorrha could contend on a more equal and probable basis. The substitution of great kings and nations for the original Beduin invaders took place only gradually.

Vv. 1, 2 b—7 (+ the names of the kings of Sodom and Gomorrha in 2 a), 8 a β and 9 are clearly insertions into the original secondary introduction. They show a common antiquarian interest, which is sufficient reason for regarding them as of common origin. They speak of 'Amraphel, K^edorla'omer, 'Arioch, Tid'al, names which may be historical, of Šin'ar, of 'Elam, of 'Eleazar, which may be identical with the Babylonian Larsa, and of Goyim, which, as has been proposed, may or may not be a corruption of the name of the nation known from Babylonian texts as Guti. They speak too of the Ḥorim, Amaleq and the Emorites, names, especially the last two, requiring no particular antiquarian or historical knowledge to account for their mention here, and also of the R^epha'im, Zuzim and 'Emim. Too much capital altogether has been made of the names of the eastern kings, due entirely to the alluring identification of 'Amraphel with Ḥammurabi. It may be that the author actually had the name Ḥammurabi in mind when he wrote 'Amraphel, but the h at the end of the Hebrew name shows that at the best the acquaintance with the Babylonian name was not very exact¹). The name, Kedorla'omer, may very well be equivalent to an Elamite Kudur-lagamar, but no king by this name has as yet been discovered. It is true that this may happen any day, but until then the mere fact that the name may be good Elamite can have no historical significance. The same is true of the name, Tid'al, supposedly equivalent of a Babylonian Tudhulu. The identification of Goyim with Guti is

¹) Hommel's attempt to explain the name 'Amraphel as = Ammurapaltu = Ammurapaštu = Ammurabi = Ḥammurapi (op. cit. 191 ff.) has failed entirely.

certainly far-fetched and precarious, and would never have been proposed were it not for the possibility of the other kings and nations being historical. And finally the identification of 'Arioch with Eri-aku, the supposedly Sumerian pronunciation of the name of the historical Rim-Sin, is by no means assured. Nor is it certain that Eleazar and Larsa are one. At the best the author's knowledge of these kings and their countries is inexact and unreliable, rather antiquarian or quasi-antiquarian than historical or founded upon actual acquaintance with Babylonian inscriptions and history, as has been so often claimed ¹).

This conclusion is born out by our knowledge of the history of the time of Hammurabi. For admitting even the identification of 'Amraphel with Hammurabi and of 'Arioch with Rim-sin, and the historicity of K^edorla'omer, the account here given of a campaign of these four eastern monarchs against the Canaanite cities can not be historically correct, since not K^edorla'omer but Hammurabi was supreme in the east. We have no record of any such campaign of Hammurabi in the west, nor can we well conceive that Hammurabi's archenemy, Rim-Sin, would have participated in such a campaign, even under direct compulsion. There can be absolutely no historical basis to the entire account. In all likelihood therefore the very names of the kings represent at the most mere survivals of actual historical names of antiquity, if they are not, in part at least, artificial. Certainly there is not the slightest reason for thinking that the author had actual acquaintance with Babylonian literature and history.

The same criticism is equally applicable to his reference to the R^epha'im, Zuzim, 'Emim and Horim. Three of these four names are identical with those of the four pre-Canaanite nations mentioned in Dt. 2, while the fourth, the Zuzim, seems to be a corruption or contraction of the Zamzumim there. The location of these nations is the same in both passages, the Horim in the extreme south, bordering upon 'Elath and the Gulf of Akabah (cf. Dt. 2, 12), north of them the 'Emim in the territory of Moab (Dt. 2, 11), north of them the Zamzumim or Zuzim (Dt. 2, 20), while north of the Zuzim, according to our present text were the R^epha'im, the name used in Dt. 11, 20, to include all these pre-Canaanite nations. In addition we have in Dt. 2 and 3 antiquarian references to the 'Avvim (2, 23), the pre-Philistine inhabitants of the coast-land, to the names of Hermon (3, 9), and to the gigantic size of Og and his bed (3, 11). These passages are all very late insertions into

¹) Hommel, *op. cit.* 146—200; Holzinger, *Genesis*, 142 ff.; Gunkel, *Genesis* ³, 279 f.

the text of Dt. They have a common viewpoint and interest with vv. 5—7 of our present chapter, and may very well be the work of one and the same hand. The author here would have us believe that the invading army marched southward through the country to the east of the present Dead Sea, and through the Arabah as far as Elath on the Gulf of Akabah, then turned to the north, apparently through the country just to the west of the present Dead Sea, or through the original site of the Dead Sea, as far as the present 'En-Gedi, granting the suggested identification of Hašešon Tamar with this place¹), and then only to the north of this place, in the site of the present Dead Sea is the battle with the Canaanite kings fought. Evidently he locates Sodom and Gomorrha, consequently also Šo'ar, and presumably also 'Admah and Šebayim in the northern part of the Dead Sea.

But as scholars have pointed out, the names Rēpha'im, Zamzumim, and 'Emim are mythical rather than historical²). We have absolutely no knowledge nor evidence of the actual existence of nations with these names. And inasmuch as the author here places them on a historic level with the invading eastern nations, it follows that his entire account must be mythical or fanciful and on a par with his historical, or rather unhistorical, knowledge of Babylon and Elam and their respective kings.

This writer too is apparently inordinately fond of exhibiting his antiquarian knowledge by giving the prehistoric names of the various localities he mentions. Thus he tells us that 'Emeq Siddim is the Salt Sea, that the original name of Šo'ar was Bela', that 'Ain Mišpaṭ is the same as Qadeš³).

The כָּל אֱלֹהִים of v. 3 implies the full account of the five allied kings in v. 2, as we have it at present. כָּל אֱלֹהִים is in turn the subject of the verb in v. 4. V. 5 is contingent upon v. 4 in its reckoning of the years, and vv. 6—7 are the continuation of v. 5. It therefore follows that vv. 1, 2 b—7 (+ the names of the kings of Sodom and Gomorrha in 2 a), 8 a β and 9 are the work of a late writer of antiquarian tendencies, inserted into the first artificial introduction that had been added to the original story. Just as the purpose of that introduction had been to add to the glory of Abraham as set forth in the original narrative, by asserting

¹) Gunkel, op. cit. 281; but cf. Holzinger, op. cit. 143.

²) Driver, Deuteronomy 40.

³) This information is on a par with that in Num. 13, 32, concerning the building of Hebron seven years before Šo'an in Egypt. This too may be the work of the same antiquarian glossator.

that it was no common Beduin tribe over which Abraham had gained his victory, but some mightier and worthier foe, the name of which has however been suppressed by this last writer, so this last writer further added to Abraham's reputation as a hero and warrior by inserting a long account, bristling with historical, or semi-historical, names, asserting that it was over the great, allied worldpowers, Babylonia, Elam, Ellasar and Goyim, that Abraham had gained his victory with the help of but three hundred and eighteen men. As Gunkel has pointed out ¹⁾, the use of these ancient, historical, or quasi-historical names is of a similar nature and for a similar reason to the use of Nebuchadnezzar in Daniel and Judith. The great names of history and tradition are invoked, in order that the glory of the Jewish heroes might become all the greater.

Vv. 18—20 have always been a bone of contention among critics. Most critics have regarded these verses too as post-exilic. A few, however, ascribe pre-exilic origin to them. Gunkel maintains ²⁾ that these verses represent an attempt to trace the sanctity of the temple at Jerusalem and of the priestly office and the custom of giving tithes there, back to Abraham, and accordingly assigns it to a period but little later than Deuteronomy. To support his claim he professes to regard Ps. 110, the only other passage in the Bible in which Malkiṣedeq is mentioned, as likewise pre-exilic. While this same view is held by other scholars ³⁾, it is none the less difficult to follow them. The Messianic idea unfolded in this Psalm is certainly post-exilic. At the same time it must be admitted that the question of the date of Ps. 110 does not necessarily affect the date of this passage, for Ps. 110 might be very late, even Maccabean, and this reference to Malkiṣedeq still be pre-exilic. It must also be admitted that the reference to Malkiṣedeq as the officiating priest, as well as king of Šalem, might well be the product of the period shortly after the composition of Deuteronomy, and previous to the rise of the conception of the Aaronic highpriesthood and the tabernacle in the wilderness. This is in fact a fairly potent argument. At the same time it might equally be the product of an age so much later than the Priestly Code as to permit of the conception of the priesthood of Malkiṣedeq in Šalem alongside of that of Aaron in the wilderness. This in fact accords fully with actual historic conditions in the Maccabean period.

¹⁾ Gunkel, *op. cit.* 289.

²⁾ Gunkel, *op. cit.* 284 ff.

³⁾ Cf. Briggs, *Psalms*, II, 374 ff. and *et. Baethgen, Psalmen*, 335 f.; *Duhm, Psalmen*, 255 f.

Certain facts in this episode apparently point to a late, post-exilic date of composition. It is true that Malkiṣedeq may very well be an old Canaanite name, compounded of the word *mal*k or *mal*ki and the name of the Pheenician deity, Šidq¹), parallel to Adoniṣedeq (Josh. 10, 1 ff.). But for Adoniṣedeq the parallel text (Jud. 1, 5 ff.) gives Adonibezeq, and consequently that name is not any too well attested. That the name of a distinctly Phoenician deity should form an element of a Canaanite name, while by no means impossible or even improbable, is none the less open to question. It is just as likely that the name Malkiṣedeq is altogether artificial, the product of the Messianic age and thought, and that the element, ṣedeq, is here used in the abstract sense of "righteousness"²).

The name, Šalem, may be best explained in the same way. If Šalem be a poetical name for Jerusalem, as is generally maintained, it too is certainly young. On the one hand the only other passage in the Bible, in which it is used, Ps. 76, 3, is certainly late, post-exilic. And on the other hand in the Tell-el-Amarna letters, the oldest reference to the city, it is called only by the name Ursalimmu, of which Y^erušalem is the Hebraisation. The name, Šalem, is therefore by no means archaic³). On the contrary it is in all likelihood the product of the late post-exilic period and of Messianic thought and literary activity, since the fundamental significance of the name, Šalem, the sound of which was undoubtedly suggested by the last two syllables of Y^erušalem, is in full accord with Messianic ideas. The use of the name here, particularly in the implication that this was the name of the city in the time of Abraham, is probably a further indication of a late date.

Likewise the use of the term, אֱלֹהֵי עֲלִיָּין, for the deity is a sure indication of a late date, even though some scholars have held on theoretical grounds that עֲלִיָּין may be an ancient name for the Deity. This name is found only in exilic (Is. 14, 14; Dt. 32, 8; Lam. 3, 25, 38) or post-exilic portions of the Bible (Ps. 18, 14; 21, 8; 46, 5; 50, 14; 57, 3 and p a s s i m, and Dan. 3, 26, 32; 4, 14, 21). Nowhere is the term found in pre-exilic portions of the Bible⁴). Likewise, as Holzinger has pointed

¹) Cf. Baudissin, Studien I, 15.

²) Cf. Josephus, Ant. I, 10, 2.

³) But cf. Gunkel, op. cit. 285.

⁴) Unless Num. 24, 16 and ib. v. 4 in its emended form (cf. Baentsch, Numeri, 612) be pre-exilic. But this is hardly likely, for even admitting the possibility of a pre-exilic date for the poems themselves, vv. 3b, 4 and 15b, 16 are probably late additions, or rather prefixes, to the original poems. They interrupt the continuity of vv. 3 a and

out¹⁾, the use of the term, קנה, in the same sense as in Dt. 32, 6, "establish", "create", is further indication of a late date.

All in all the evidence is cumulative that vv. 18—20 are the product of the post-exilic, rather than the pre-exilic age, and of the late post-exilic age at that. At the same time they must be earlier than the last additions to the introduction, for v. 17 a β b is clearly the work of the author or editor of these additions, who probably also inserted vv. 18—20 as he found them, into their present setting, and provided v. 17 a β b to localise the event on Abraham's return from the battlefield. V. 17 a β b is characterised by the mention of K^edorla'omer and by the antiquarian interest displayed in giving the ancient and modern name for the valley near Šalem. The verse of course implies that on his return to Sodom Abraham passed by Jerusalem and was there met in an adjacent valley by Malkiṣedeq, the priest-king. The improbability of a line of march from Ḥobah, to the north of Damascus, to Sodom via Jerusalem, is self-apparent.

From this exposition it is clear that Gen. 14 must have had a rather lengthy and momentous history. The kernel of the chapter is vv. 11—24, omitting vv. 18—20 with the glosses already determined, a post-exilic midrash, designed to enhance the glory of Abraham by representing him as a brave and successful Beduin warrior, who with a small band of followers completely defeats a troop of Beduin invaders, rescues his relative, Lot, restores all captured prisoners and booty to the king of Sodom, and proudly refuses all reward. In time the opening sentence of the original narrative was suppressed in favour of another brief introduction which represented the enemy, no longer as a mere Beduin ghazu, but probably as the army of a neighbouring king to the north. This introduction in time was modified and greatly enlarged by some writer with antiquarian interests, who suppressed the name of the invading king, made of the enemy a coalition of four great nations of antiquity, and of the kings of Sodom and Gomorrha the kings of five Canaanite cities, mentioned in various Biblical passages as having been situated on the site of the present Dead Sea. He supplies four of these kings with names and also imagines a highly interesting, but altogether impossible line of march for the invading army. He likewise introduces into the main narrative a current literary fragment, vv. 18—20, also of late post-exilic origin, with which he was acquainted, and which he no doubt

5 and 15 a and 17. Furthermore the poems in Num. 23, 7—10; 18—24 have no such introduction, but follow immediately upon וַיֵּאמֶר.

¹⁾ Op, cit. 145.

felt ought to be included in order to make the history of Abraham complete, and supplied this with the necessary editorial connection in v. 17 a β b. In this way the entire chapter was completed and assumed its present form. Then, either by him, or by some one later, the chapter was inserted into Genesis, in the only place possible, after the account of Lot's coming to Sodom and of Abraham's sojourning in 'Elonê Mamrê, in Gen. 13, and before the account of the destruction of Sodom and Gomorrha in Gen. 18 ff.

It is clear therefore that the entire chapter is of very late date, almost, if not actually, the very latest portion of the Hexateuch, that it is not based upon actual acquaintance with Babylonian literature and history, and that in fact it has not the slightest historical basis or value. It is a midrash, pure and simple, in which the glory of the patriarch Abraham is enhanced by the representation of him as the paragon of bravery, intrepid and successful warriorship, honour, faithfulness, pride and magnanimity.

Allegorische Gesetzesauslegung bei den älteren Karäern.

Von

Rabbiner Dr. Samuel Poznański, Warschau.

I. Die allegorische Schriftauslegung, die fast so alt ist wie die Schrift selbst ¹⁾, umfaßte von den frühesten Zeiten nicht nur ihren erzählenden und paraenetischen Teil, sondern auch den gesetzlichen. Uns soll nun hier nur die allegorische Gesetzesauslegung beschäftigen, die zwiefacher Art ist. Die eine, welche man die typologische nennen kann, läßt die wörtliche Auffassung bestehen, nur behauptet sie, daß jede Vorschrift ein gewisses Symbol, eine gewisse Idee repräsentiere und daß sie eben zum Zweck habe, diese Symbole und Ideen uns zu vergegenwärtigen und einzuprägen. Eine solche Allegorie findet sich zuerst, wenn man von dem verloren gegangenen Aristobulus absieht, im Briefe des Aristeeas (§ 143 ff.), und ihr vornehmster Vertreter war Philo. Sie kann aber für die Ausübung des Gesetzes gefährlich werden, wenn die Ansicht Überhand nimmt, daß, wenn man die Symbole und Ideen erkannt und sie sich angeeignet habe, daß man dann von der tätlichen Erfüllung der Vorschriften selbst befreit sei. Dies behaupteten bekanntlich manche Zeitgenossen Philos, gegen die er heftig polemisiert (De migratione Abrahami § 89), solche Schlüsse zog das Christentum, solche Vorwürfe machte man den Maimunisten, solche Tendenzen beobachtet man bei manchen Mystikern usw.

Eine andere Art von Allegorie ist es, wenn man behauptet, daß eine Vorschrift nicht wörtlich aufgefaßt werden kann, weil der Wortlaut notwendig eine bildliche Umdeutung erheische. Das tat unter den Tannaim zuerst Ismael ²⁾, der drei gesetzliche Vorschriften (Ex. 21, 19.

¹⁾ S. den zusammenfassenden, aber nicht erschöpfenden Artikel Ginzbergs „Allegorical Interpretation“ in Jew. Encycl. s. v. (I, 403—411). Vgl. auch den Artikel „Allegory“ in Hasting's Encycl. of Religions s. v. (I, 327—331).

²⁾ Die דורשי חסדות und דורשי רשומות, die älter sind als Ismael und über die zuletzt Isr. Lévi (REJ. LX, 24—31) und Lauterbach (JQR. N. S. I, 291—333, 503—531) gehandelt haben, sind eigentlich Agadisten. Bei der einen strikt halachischen Stelle Sifre Num. § 160 hat eine Handschrift (s. Friedmann z. St. 62 a, n. 30)

22, 2 und Deut. 22, 17) כַּמֶּן מֶשֶׁל, d. h. allegorisch, erklärte ¹⁾. Während aber die ersten zwei Stellen wohl von allen in solchem Sinne gedeutet wurden, wie das u. a. sich auch aus der Mechilta des R. Simon z. St. ergibt, behauptet bei der dritten eine entgegengesetzte Meinung (Eliezer b. Jakob), daß diese wörtlich aufzufassen sei. Die dabei gebrauchten Termini sind דְּבָרִים נִכְחָבִים und כִּמְשַׁמְעוּ, die sowohl bei den Vertretern der Schule Ismaels als auch der Akibas anzutreffen sind ²⁾. Interessant aber ist die Bemerkung in den 32 Regeln des Eliezer b. Jose (Regel 26), daß mit Ausnahme der drei genannten Deutungen Ismaels, die allegorische Erklärungsweise nur bei Propheten und Hagiographen angewendet werden dürfe, nicht aber beim Pentateuch, speziell nicht bei dessen gesetzlichem Teile: בְּמֵה דְּבָרִים אֲמֹרִים בְּדָבָרִי קִבְלָה אֲבָל בְּדָבָרִי תוֹרָה וּמִצְוָה אִי אֵתָהּ יָכוֹל לְדוֹרְשָׁן בְּלִשׁוֹן מֶשֶׁל חוּץ מִשְׁלָשָׁה דְּבָרִים שֶׁהִיא רַבִּי יִשְׁמַעֲלֵל דּוֹרֵשׁ בְּלִשׁוֹן מֶשֶׁל. Gewiß aber hat diese Regel nur bei eigentlicher allegorischer Erklärungsweise Geltung, nicht aber bei der von ihr genau zu unterscheidenden homiletischen Deutungsart des Midrash, wo ja auch gesetzliche Bestimmungen bildlich verwendet werden. So werden z. B. die verbotenen Tiere in Lev. 11, 4—7 als Symbole für die verschiedenen Völker des Altertums betrachtet ³⁾.

Nicht streng allegorisch, aber hierher gehörend, ist die Methode, eine Vorschrift wörtlich zu deuten, aber dabei auch Erklärungen im übertragenen Sinne für zulässig zu halten. So z. B. die Erklärungen von הָרֶם לֹא תֹאכְלוּ עָלָיו Lev. 19, 26, die im Sifrâ z. St. im Namen Dosas, Akibas und Jose b. Ḥaninas angeführt werden. Eine andere Art von nicht buchstäblicher Auffassung ist es, wenn man behauptet, daß die Schrift mit dem betreffenden Ausdruck nur einen speziellen Fall nennt, daß sich aber die Vorschrift auf die ganze Gattung, zu der der Fall gehöre, beziehe. Vgl. besonders Mechilta zu 22, 30, wo mehrere solche Beispiele angeführt werden. Die diesbezügliche Regel, die aus der Schule Ismaels stammt, lautet: דְּבָרִי הַכְּתוּב בְּהוּהָ ⁴⁾. Außerdem aber begegnen wir noch in Talmud und Midrash verschiedenen nicht buchstäblichen Deutungen, die sich in keine der hier angeführten Kategorien einfügen lassen, so die Erklärung von „Auge um Auge“ als Geld- und ebenso die Parallelstelle Tanna debe Elijah XXIX (XXVII, ed. Friedmann 147) אֲנִישֵׁי מִשְׁחוּזֹת. Die Deutung von Ex. 20, 2 (Mechilta de R. Simon z. St. p. 117 unten) ist rein homiletisch.

¹⁾ Mechilta u. Sifre z. St., Jer. Ketubot IV 28 c¹¹ u. Sanhedrin VIII 26 c⁵; vgl. Bacher, Agada d. Tann. I^a, 239.

²⁾ Beispiele bei Bacher, Die älteste Terminologie s. v. כִּמְשַׁמְעוּ u. כֶּתֶב.

³⁾ Lev. r. z. St. Vgl. Treitel, MGWJ. LV, 551 ff.

⁴⁾ Vgl. Bacher, ib. s. v. הוּהָ.

strafe, von **לֹא תִבְשֵׁל גִּדִּי בַחֲלֵב אִמּוֹ** als „du sollst nicht Fleisch mit Milch zusammen genießen“, von **אַרְבָּעִים יָכֹנֶה** Deut. 25, 3 als 39 Schläge usw. Von manchen von ihnen wird noch weiter unten die Rede sein.

II. Der erste, der einen Kanon für die allegorische Schrifterklärung aufstellte, war Saadja. Danach können Stellen der Bibel nur dann im übertragenen Sinne gedeutet werden, wenn sie im Widerspruch sind: 1. mit der sinnlich wahrnehmbaren Wirklichkeit; 2. mit der Vernunft; 3. mit einem anderen, deutlichen Bibeltexte; 4. mit einer talmudischen Tradition, der entsprechend der betreffende Text zu erklären ist. Zu dem von uns hier behandelten Thema gehört also eigentlich nur der vierte Fall und als Beispiel gibt Saadja hier eben die angeführte Stelle Deut. 25, 3, wo die Zahl Schläge nicht 40, sondern 39 beträgt, so daß **אַרְבָּעִים** hier als abgerundete Zahl zu erklären ist. Sonst — so führt Saadja weiter aus — muß der biblische Text nur nach seinem Wortlaut erklärt werden, da im widrigen Falle viele Gebote der Schrift aufgehoben werden könnten. So könnte man z. B. das Verbot, am Sabbat Feuer anzuzünden (Ex. 35, 3), mit Hinblick auf Num. 21, 28 als Verbot der Aufstellung von Kriegstruppen am Sabbat deuten; das Verbot, am Pesach Gesäuertes zu essen (Ex. 13, 3), nach Hos. 7, 4 als Verbot der Unzucht betrachten; das Verbot, beim Ausheben eines Nestes die Mutter der Vögel mit den Kindern zu nehmen (Deut. 22, 6), nach Gen. 32, 12 und Hos. 10, 14 als Verbot, im Kriege nicht jung und alt zu töten, auffassen¹⁾. Die Vermutung liegt nahe, daß Saadja hier mit diesen Beispielen gewisse häretische Ansichten seiner Zeitgenossen widerlegt, wie er ja auch am Ende des III. Abschnittes seines religionsphilosophischen Werkes verwandte häretische Ansichten des Hiwi al-Balchi und anderer ihm ähnlicher Ketzer bekämpft, und wir hätten hier eine interessante Probe allegorischer Gesetzesauslegung aus der Zeit Saadjas²⁾.

III. Diese Ausführungen Saadjas bilden nun den natürlichen Übergang zu der bedeutendsten häretischen Strömung seiner Zeit, nämlich

¹⁾ 'Amanât Absch. VII, ed. Landauer p. 212 ff.; zweite Rezension ed. Bacher in Steinschneider-Festschrift p. 102 (= ed. Slucki p. 109). Vgl. dazu Wolff, ZATW. IV, 226; Bacher, Die Bibelepik d. jüd. Religionsphilosophen p. 8 ff. und meine Bemerkungen MGWJ. XLI, 208.

²⁾ Vgl. mein **דְּרָשֵׁי הַבְּלָי**, p. 18 ff. — Über allegorische Schrifterklärung bei jüdischen Autoren nach Saadja siehe den genannten Artikel Ginzbergs. Zu bemerken wäre u. a., daß nicht nur Maimonides, sondern auch ihn Ezra gegen die christologische Allegorisierung des Gesetzes kämpft, und zwar in der Vorrede zu seinem Pentateuchkommentar, wo er sie als dritten Weg bezeichnet, siehe Bacher, AIE. als Grammatiker, p. 23. Dann, daß Maimonides in seinem More manches auch gegen die Tradition buchstäblich erklärt, so Auge um Auge (III, 41) usw.

zu den Karäern, um so mehr als die von ihm aufgestellten Regeln über die Grenzen der allegorischen Schriftauslegung einerseits die Karäer beeinflußt, andererseits sie zu einer Polemik veranlaßt hat. Wir werden deshalb den vorhandenen Spuren einer allegorischen Gesetzesauslegung bei den Karäern auch nur bis zur Zeit Saadjas nachgehen. Diese Spuren zu verfolgen ist um so interessanter, als man doch glauben sollte, daß bei den Karäern, die ihr ganzes Prinzip, ihr *raison d'être* sozusagen, auf einer buchstäblichen Auffassung der Schrift aufgebaut haben, für eine derartige Allegorose kein Platz sei, und doch sagen uns die Tatsachen etwas ganz anderes. Schon von dem Sektenstifter Judgân, der etwa ein halbes Jahrhundert vor 'Anân gelebt und auf diesen nicht ohne Einfluß gewesen sein muß, erzählt Sharastâni (übers. von Haarbrücker, I, 258), daß er glaubte, die Tora habe einen äußeren und einen inneren Sinn (טאָהר וּבְהִמְתָּ), eine buchstäbliche und eine allegorische Erklärung, und daß letztere verschieden war von den allegorischen Erklärungen, welche die Juden im allgemeinen annahmen. Doch ist es zunächst fraglich, ob Judgân die allegorische Erklärung auch auf die gesetzlichen Vorschriften der Tora ausgedehnt hat. Qirqisâni z. B. weiß davon nichts, dagegen berichtet er, daß die Jugdaniten Sabbat und Festtage für nicht bindend in der Gegenwart erklärten und daß ihnen hierin manche Karäer gefolgt seien ¹⁾. Doch gehört dies mehr in das Gebiet des Rationalismus.

Dagegen begegnen wir allegorischen Gesetzeserklärungen bei dem Stifter des Karäismus, 'Anân, die allen von uns oben aufgezählten Arten entsprechen. 'Anân steckte zwar tief im Talmudismus und folgte ganz dessen Methode, wie man aus den jetzt bekannt gewordenen Fragmenten seines Buches der Gebote (ספר המצוה) ersehen kann, ebenso lautete seine Devise zwar nicht: haltet am äußeren Wortlaut der Schrift fest, sondern: suchet gut in der Schrift (חפישו באורייתא שפיר). Aber diese Devise will doch eben besagen, daß man in den Wortlaut der Schrift eindringen müsse, um seinen wahren Sinn ohne Hilfe der Tradition zu erkennen, und hat doch 'Anân seine Auflehnung gegen die Tradition damit begründet, daß ihre Anhänger durch das Abweichen vom Wortlaut der Schrift vieles Verbotene erlaubt und manches Erlaubte verboten. Er klebte soweit als möglich am äußeren Buchstaben oder wählte daran fest zu kleben, wodurch sich manche seiner ganz sonderlichen Ansichten erklären. So z. B., daß das ungesäuerte Brot am Pesach von Gerstenmehl

¹⁾ Kitâb al-'anwâr w'al-marâqib I, 12 (ed. Harkavy, p. 312). Aus einer anderen Stelle (p. 318 unt.) erfahren wir, daß die Karäer in Basra gemeint sind. Vgl. auch RÉJ. L, 17.

zubereitet werden müsse, damit es, wie die Schrift (Deut. 13, 6) will, ein wahres „Brot des Elends“ sei, daß die Beschneidung wegen Jos. 5, 2 mit einer Scheere vorgenommen werden müsse (Buch der Gebote, ed. Harkavy, p. 83. 129. 133) usw. Dann wissen wir auch, daß 'Anân eine durchaus nüchterne Natur und jedem Rationalismus abhold gewesen ist, und doch haben sich von ihm ganz merkwürdige allegorische Gesetzesauslegungen erhalten, die zunächst vorgeführt werden mögen.

In das Gebiet der rein bildlichen Deutungsweise gehört vor allem seine Erklärung von Ex. 34, 21. 'Anân bezog dieses Gebot auf den Beischlaf, der demnach am Sabbat verboten sei, s. ibn Ezra z. St.: **אמר ענן ימחה שמו כענן כי זה על משכב האשה והלא תכסהו בושה כי אם אמרנו כי ביד הנבר החריש הלא במלת קציר יחריש** d. h., zugegeben, daß mit „Pflügen“ der männliche Akt gemeint sei, so kann doch diese Erklärung beim „Ernten“ nicht angewendet werden. In der Tat werden wir gleich sehen, daß 'Anân für seine Auffassung von **חריש** sich auf Jud. 14, 18 bezog, für **קציר** aber keinen Beweis erbracht hat. Der Vergleich einer Frau mit einem Acker findet sich schon in den el-Amarna-Tafeln¹⁾ und ist auch den Talmudisten nicht fremd, s. Sanhedrin 74 b: **אסתר קרקע עולם היתה** und dazu die Erklärung der Sheeltot § 42 Ende: **... הנשים לכך נוצרו כשם שהארץ נוצר לזריעה ולעבוד בה כך אשה נוצרה** (2) **לבעילה**). Eine ähnliche Redeweise findet sich auch im Korân (II,

223): „נְסֹאוֹכֶם חֶרֶת לָכֶם פִּנְאוּ חֲרֻכְכֶּם אֲנִי שְׁתֵּנֶם“ „Eure Weiber sind euch ein Acker, gehet zu euerem Acker von wannen ihr wollt“. Der Vergleich liegt eben so nahe, daß man durchaus keine Entlehnung anzunehmen braucht. Qirgisâni, der diese Erklärung nicht im Namen ‘Anâns anführt (s. Beilage I), bemerkt, daß dieser Vers in Ex. deshalb nicht wörtlich aufgefaßt werden könne, weil doch am Sabbat jede Art von Arbeit und nicht nur Pflügen und Ernten verboten ist ³⁾. Die späteren Karäer halten an dem Verbot des ehelichen Umganges am Sabbat fest, leiten es aber nicht von Ex. 34, 21 ab, sondern von לָקַדְשׁ Ex. 20, 8 oder ähnlichen auf die Heiligung des Sabbat bezüglichen

¹⁾ Vgl. D. H. Müller, *Semitica* I, 33; O. Weber, *Die Literatur d. Babylonier u. Assyrier* 307 u. Sarsowsky, *ZATW.* XXXII, 304, der damit ganz richtig *עוֹלָה אֶרֶץ* in Jes. 62, 4 vergleicht.

²⁾ Vgl. D. H. Müller, Das syr.-röm. Rechtsbuch u. Hammurabi, p. 19.

³⁾ Im 3. Kapitel des I. Abschnittes seiner Schrift, wo Qirgisāni den Rabbaniten ihre verschiedenen Vergehungen im Erlauben verbotener Dinge aufzählt, sagt er u. a. (ed. Harkavy, p. 288 l. 5): וַאֲמַרְלֵךְ אֶלְבָּאָע פִּי יוֹם אֶלְכֶּבֶת אֱלֹדִי פִּיהּ תִּלְתֵּה אִישִׁי כַּזָּאדָה: לְמַא תַּעֲבֹדנָה בַּהּ פִּי אֶלְכֶּבֶת . . . וְאֶלְתֵּאֲלֵת טֶרֶח בְּדִר אֱלֹדִי הוּא אִיבָא בְּצִר קִי' בַּחֲרִישׁ וּבִקְצִיר. ובקציר וואקט.

Ausdrücken¹⁾. Das Verbot findet sich auch bei den Samaritanern, ob es aber auch sadduzäisch war, wie Geiger will (Nachgel. Schr. III, 289), ist möglich aber nicht erwiesen.

Aber nicht nur bei Menschen, sondern auch bei Tieren erklärte 'Anân חרש im Sinne von begatten, so beim Verbot Deut. 22, 10. Qirqisâni, der es (l. c.) unter den von 'Anân in übertragenem Sinne gedeuteten Vorschriften anführt, gibt die Erklärung selbst nicht, wir erfahren sie aber aus dem Buch der Gebote (ed. Harkavy, p. 4), wo es heißt: וְכִּי תִרְבֶּה לְאִשְׁמְעֵי מִיָּנִי תִרְחִין רִבְעָה (רביעה l. רביעה). חרש לאשמעי מנייה תרחין רביעה (רביעה l. רביעה). 'Anân läßt also hier die buchstäbliche Auffassung bestehen, fügt ihr aber noch eine übertragene hinzu, und dasselbe tut auch Benjamin Nahawendi²⁾. Merkwürdig aber ist es, daß auch die Talmudisten חרש hier im Sinne von begatten auffassen und aus unserem Vers das Verbot, eine Magd resp. Nichtjüdin zu heiraten, deduzieren, s. Derech Erez I: הָבָא עַל הַשְׁפָּחָה חַיִּיב עָלֶיהָ מְשֻׁם אֲרָבַע עֶשְׂרֵה לָאוֹיִן . . . מְשֻׁם לֹא תִזְרַע כְּרֶמֶךְ כְּלָאִים וּמְשֻׁם לֹא תַחְרוֹשׁ [בְּשׂוֹר וּבַחֲמֹר יַחְדָּו] (בשור ובחמור יחדיו⁴⁾). Was nun die Nachfolger 'Anâns anbetrifft, so verwirft Jefet seine Erklärung, die er aber nur als die des Benjamin kennt⁵⁾. Aron b. Josef (im Mibḥar z. St.) verwirft ebenfalls die Bedeutung von חרש in geschlechtlichem Sinne mit den Worten: וְמֵה מֵאֵר פִּירוּשׁ זֶה הָאוֹמֵר: לֹא יִשְׁכַּב אִישׁ אֶת אִשְׁה נְכָרִיָּה וּסְמֵךְ עַל לֹלָא חֲרִשְׁתָּם בַּעֲגָלְתִּי und der Superkommentar Tīrat Kesef sagt, daß hier die Erklärung der Talmudisten gemeint sei, aber diese ziehen nicht Jud. 14, 18 heran. Ähnlich lauten die Worte Aron b. Elias (Keter Tora z. St.): וְאִינִי עֲנִין שְׂכִיבָה מִן: לֹלָא חֲרִשְׁתָּם בַּעֲגָלְתִּי לִהְיוֹת כְּמַעַם הַרִכְבָּה. Afendopolo endlich (Supplement zu Adderet, c. 3) verwirft ebenfalls die Erklärung 'Anâns, bezeichnet sie aber merkwürdigerweise als rabbinisch: אֵין מֵאֵר לֹא תַחְרוֹשׁ לֹא תִשְׁכִּיב וְתִרְבֶּיךָ כְּעִנִּין לֹלָא חֲרִשְׁתָּם . . . כִּמוֹ שֶׁפִּירְשׁוּ בּוֹ קֶצֶת מִבְּעָלֵי הַקְּבֻלָּה. Wo fand er aber dies bei den Rabbinen?⁶⁾

¹⁾ So Levi b. Jefet bei Bashitschi, Adderet ענין שבת c. XI; Hadassi, Eshkol 147 ff; Mibḥar z. St. Vgl. dagegen Aron b. Elia's Gan Eden 36 d.

²⁾ Wohl zu lesen: חרש לאשמעי מנייה תרחין רביעה, s. Harkavy, Stud. u. Mitt. VIII, 194.

³⁾ S. ib.

⁴⁾ Daraus in Hal. Ged. ערית ה' (ed. Warschau 102 b, ed. Hildesheimer 253) und im Jalkut z. St. (wo richtiger הנהיגה). Zu bemerken ist nun, daß während in den älteren Ausgaben des Jalkut (Saloniki, Venedig) keine Quelle angegeben wird, lautet die Quelle in ed. Fr. a. M. מדרש, und daraus wurde in ed. Warschau אספה מדרש, vgl. Abraham b. Elia Wilnas רב פעלים ed. Chones, p. 152. S. auch Aptowitzer, MGWJ LV, 378.

⁵⁾ S. Harkavy, l. c.

⁶⁾ Ginzberg (Geonica II, 188), der übrigens die Stelle im Mibḥar nicht anführt und der Afendopolo mit Bashitschi verwechselt, glaubt, daß die Worte dieser Karäer

Ferner deutete 'Anân im übertragenen Sinne noch folgende gesetzliche Bestimmungen: Zunächst das Verbot לא תבשל גרי בחלב אמו (Ex. 23, 19. 34, 26; Deut. 14, 21), das er weder im Sinne der Tradition noch wörtlich auffaßte, sondern in ganz eigenartiger Weise erklärte. גרי bedeute s. v. a. מנר, d. h. Frucht, und תבשל reifen (wie Gen. 40, 10) und der Vers ist in Verbindung mit dem vorangehenden zu erklären: Man solle nicht versäumen die Erstlinge der Früchte in das Haus Gottes zu bringen, man solle dies aber nicht tun, bevor die Früchte ganz reif sind ¹⁾. Qirqisâni, der zugleich der einzige ist, der diese Erklärung im Namen 'Anâns anführt, widerlegt sie schon darum, weil ja in Deut. 14, 21 unserem Vers ein ganz anderes Verbot vorausgeht, nämlich das Verbot, Aas zu essen. Auch viele andere Karäer, ältere und spätere, widerlegen sie, aber keiner von ihnen nennt den Urheber. So Daniel Qumisi (bei Hadassi 240 ר) „weil die Gebote Gottes nicht bildlich aufgefaßt werden dürfen, da sonst ein Irrtum sehr leicht ist“ (כִּי מִצְוַת ה' לֹא בְמַשֵּׁל צִוָּה כֵּן). Dann David b. Abraham (bei Pinsker p. קעג unt.), ebenfalls darum, weil eine bildliche Deutung der Gebote sie unverständlich machen würde ²⁾, Aron b. Josef (Mibḥar zu Ex. 23, 19) und Aron b. Elia (Keter Tora zu derselben Stelle, vgl. Harkavy, Stud. u. Mitt. VIII, 162). Der Erklärung 'Anâns stimmen bei, aber ebenfalls ohne ihn zu nennen: Jakob b. Reuben (bei Harkavy l. c. 155) und Hadassi (Eshkol 240 פ ff. und 360 נ ff.). Bekanntlich hat auch Menahem b. Sarûḳ dieselbe Erklärung (Lexikon s. v. גר (פרוט לפי ענינו גררי פירות ויתכן להיות מגזרת מנרים: גר), während sie ibn Ezra in seinen beiden Kommentaren zu Ex. 23, 19 als die „der Schwachsinnigen“ (חסרי הרעת) resp. die „der Häretiker“ (המכחישים) bezeichnet.

Ebenso eigenartig und nicht buchstäblich erklärt 'Anân Lev. 18, 21, indem er זרע hier als Sperma und מלך als überlegen, mit Prämeditation tun (wie Neh. 5, 7), auffaßt, und aus diesem Vers das Verbot der Onanie

auf More III, 49 zurückgehen. Hier sagt nämlich Maimonides, daß man deshalb nicht mit Ochs und Esel zusammen pflügen darf, weil dies zur Begattung führen könne (s. auch Nahmanides z. St.), aber Aptowitzer l. c. weist mit Recht darauf hin, daß ja Afendopolo an anderer Stelle (l. c., c. 4) die Erklärung Maimonides' (ohne ihn übrigens zu nennen) wörtlich akzeptiert. Es ist also wahrscheinlich, daß ihnen die Stelle in Derech Erez bekannt war.

¹⁾ So Qirqisâni (s. Beilage I). Ein wenig anders Hadassi: Man solle nicht die Zweige oder die Frucht eines Baumes abschneiden und mit ihrem Saft die anderen Früchte bespritzen, um sie vor der Zeit künstlich reif zu machen. Vgl. auch MGWJ XLII, 217.

²⁾ Und auf solche Weise das ganze karäische Prinzip durchbrochen wäre. Die Karäer betonen nämlich immer den Rabbaniten gegenüber, daß die Gebote Gottes ziemlich deutlich und klar sind (Ps. 19, 9) und keiner erklärenden Ergänzung von seiten der Tradition bedürfen. Vgl. ZfHB III, 173 n. 8.

deduziert. Diese Erklärung liegt uns jetzt im Wortlaut in dem von Schechter edierten Fragment des Buches der Gebote (Documents II, 32) vor. Angeführt wird sie zunächst von Qirgisâni in seinem handschriftlichen Kitâb al-'anwâr XI, 23 (vgl. auch Harkavy, l. c. 207), der dabei bemerkt, daß weder Benjamin Nahawendi noch irgendwelcher Karäer darin mit 'Anân übereinstimmen, ausgenommen einige seiner Genossen, d. h. einige 'Ananiten: [להעביר: ... פי קולה ומורעך לא תתן להעביר: ... למלך]. אמא ענן פועם אן אלכתאב לס יכן נרצה פי הוא אלמוצע תחרים ברל אלאולאד ללאצנאם ואנשא חרם פיה אפראג אלכור וטרחא פי אלארץ לניר האנה ודך מתל אסתעמאל אלקה ומא שבהה ומתל אלפסק באגלמאן ואלעול ען אלנשא-וועם אן קולה למלך יעני בה אלכאטר לקולה וימלך לבי עלי ומא אחד מן אצחאבנא ואפקה פי הוא אלקול לא בניאמין ולא גירה אלא מן כאן מן אצחאבה אלך. Von den späteren Karäern zitiert sie anonym nur noch Aron b. Elia in Keter Tora z. St., ohne zu ihr Stellung zu nehmen. Möglich hat hier 'Anân irgendwelche uns unbekannte Quelle benutzt, denn aus Mishna Megilla IV, 9 wissen wir ja, daß unser Verbot schon in alter Zeit bildlich auf das Verheiraten seines Kindes mit Heiden gedeutet wurde, eine Deutung, die sich auch im Targum Jonatan findet. Von den Karäern zitieren sie Hadassi (Eshkol 324 פ) und Aron b. Elia, l. c., und nur der letztere verwirft sie.

Noch eigenartiger ist das Verbot 'Anâns, seiner schwangeren Frau beizuwohnen, das wohl mit dem vorangehenden in Zusammenhang steht, insofern als jedes Beiwohnen, das nicht Kindererzeugen zum Zwecke hat, als sündhaft zu betrachten ist¹⁾. Nach ibn Bal'âm zu Ezech. 18, 6 (angeführt von mir RÊJ. XLV, 193) soll es 'Anân aus diesem Verse abgeleitet haben, indem er הרים als Mehrzahl von הרה, schwanger, und אכל im Sinne von beiwohnen (wohl nach Prov. 30, 20) deutete. Schon ein Karäer des X. Jahrh., Ben Zufa, widerlegte die Ansicht 'Anâns mit Hinweis auf Deut. 24, 5. Die Quelle ibn Bal'âms ist unbekannt, dagegen wird das Verbot im Buche der Gebote (ed. Harkavy, p. 60) aus Lev. 12, 2 zwar in sehr gekünstelter und gezwungener, aber nicht in bildlicher Weise abgeleitet, so daß es eigentlich in unser Thema nicht hineingehören würde. Doch glaube ich, daß 'Anân dieses Verbot noch aus einem anderen pentateuchischen Verse abgeleitet hat und dabei nach allegorischer Methode verfahren ist. Zu Deut. 24, 6 sagt ibn Ezra:

¹⁾ Nach Harkavy p. 204 soll 'Anân hier den Anschauungen der Essäer gefolgt sein, von denen manche ebenfalls ihren schwangeren Frauen nicht beigewohnt haben (Bell. Jud. II, 8, 13). Aber woher sollte 'Anân essäische Ansichten gekannt haben? Oder sollte sich diese Anschauung bei manchen Sekten bis zu seiner Zeit fortgepflanzt haben? Vgl. noch Geiger, Jüd. Zeitschr. VII, 172.

לא יחבול רחים ורכב. אמרו המכחישים כי נדבקה זאת הפרשה עם ושמה את אשתו כי רמז למשכב כי אסור שימנע מן המשכב וזה הכל וריק והביאו ראיה חמחן לאחר אשתי . . . כי נפש הוא חובל. כי בו מחית הנפשות והסומכים על הסמך הפרשיות ואמר כי נפש הוא חובל וכו'. ומקצת: (Levi b. Jefets (bei Harkavy, l. c. p. 135): וקצת: d. h., man darf durch Beiwohnen einer Schwangeren nicht das im Mutterleibe vorhandene Leben schädigen¹⁾). Da nun dieses Verbot von 'Anân herührt, so ist es wahrscheinlich, daß auch die Erklärung der ersten Hälfte des Verses bei ibn Ezra auf ihn zurückgeht und ist hier חבל etwa im Sinne von vorenthalten und ורכב nach Hi. 31, 10 ein bildlicher Ausdruck für den Akt des Coitus. Merkwürdigerweise finden wir diesen Vers des Deuteronomiums ebenfalls von einem der Talmudisten, nämlich von Jose dem Galiläer, allegorisch erklärt und auf die Frau bezogen, s. Gen. r. XX, 7 (zu III, 16): והוא ימשל כך אמר ר' יוסי הגלילי יכול: מטשלה מכל צד תלמוד לומר לא יחבול רחים ורכב. Der Sinn ist zwar nicht ganz klar, scheint aber auf den Beischlaf sich zu beziehen, wie schon z. St. richtig erkannt hat (andere Erklärungen angeführt bei Theodor z. St., p. 191; vgl. auch Bacher, Agada d. Tannaiten I² 363). Nach Qirqisâni wiederum (s. Beilage I) ist dieser Vers zunächst äußerlich, d. h. nach dem Wortlaut, zu erklären, dann aber auch innerlich, d. h. im übertragenen Sinne, auf den Beischlaf. Qirqisâni nennt aber weder den Namen 'Anâns, noch sagt er, wie der Vers innerlich zu deuten sei, er verspricht ihn nur am gehörigen Platze (im Komm. z. St.?) zu erklären. In einem handschriftlichen arab. Komm. z. St., wahrscheinlich von Jeshû'a b. Jehûda (angeführt von Harkavy, p. 207), wird das Verbot des Beiwohnens einer Schwangeren von der ersten Hälfte des Verses abgeleitet und auch hier חבל im Sinne von schädigen und רחים als Schoß (= רחם, und ורכב?) erklärt. Diese Erklärung wird für unzulässig gehalten, aber der Name 'Anâns wird nicht genannt (אלמרה). ואמא מן פסר היא עלי נמאעה אלמרה). (אלחבלי וזעם אנה מחזור הו קול בעיד ודלך אנה פסר לא יחבול לא יפסר אלך). Jakob b. Reuben wiederum (ib. p. 155) führt zur ersten Hälfte des Verses beide Verbote an, ebenfalls anonym, und verwirft das erstere.

Nicht allegorisch, aber jedenfalls vom strikten Wortlaut abweichend, sind noch die Erklärungen 'Anâns von אהים Deut. 25, 5 und אחות Lev. 18, 18, die für die Gestaltung des Ehegesetzes von großer Bedeu-

¹⁾ Levi l. c. zitiert aber anonym noch eine Erklärung, wonach sich der ganze Vers auf das Verbot des Vorenthalten des Beischlafes beziehe und wonach נפש nach Analogie von Deut. 23, 25 und Ps. 27, 12 Lust bedeute, also: denn er richtet die von Gott dem Menschen eingepflanzte Lust zugrunde.

tung sind. 'Anân behauptete bekanntlich, daß Lev. 18, 8 durch Deut. 25, 5 nicht aufgehoben werden kann, daß daher אחים an letzter Stelle nicht als Bruder, sondern als Verwandter aufgefaßt werden müsse, und berief sich dabei auf Rut 4, 3, wo einerseits die Leviratshe nicht durch einen leiblichen Bruder, sondern durch den Verwandten Boaz vollzogen wird, und wo andererseits dieser den Elimelech אחיני, unseren Bruder, nennt (s. den Text 'Anâns in ed. Harakavy, p. 107). In der Tat ließen sich viele Gesetzesbestimmungen anführen, wo אח sogar nicht Verwandter, sondern einfach Volks- und Glaubensgenosse bedeutet, weswegen z. B. Sahl b. Mazliaḥ auch unser אחים als אחים ברת auffaßt¹⁾. Ganz vom Wortlaute abweichend ist 'Anâns Erklärung von ואשה אל אחותה Lev. 18, 18, das er als Verbot, eine Frau samt ihrer Nichte zu heiraten, auffaßt. 'Anân war bekanntlich der Erste, der das Prinzip der Analogie (היקש) in das Ehegesetz einführte. Wenn es also in V. 16 verboten ist, die Frau des Bruders unter jeden Umständen zu heiraten, so ergibt sich daraus von selbst das Verbot für die Frau, den Mann ihrer Schwester, ebenfalls unter allen Umständen, zu heiraten und nicht nur während die Schwester noch lebt (בהייה), folglich kann hier dieses Verbot nicht wörtlich aufgefaßt werden. 'Anân (ed. Harkavy, p. 105) behauptet nun, daß hier die Nichte der Frau zu deren Lebzeiten verboten sei, und sagt, daß es deswegen auch אל אחותה und nicht ואחותה heiße. Einen sprachlichen Beweis, wie im vorigen Fall, erbrachte er nicht, nur soll deswegen אל אחותה ואשה gleich nach אשה וכתה stehen, um zu zeigen, daß auch hier nicht die Schwester, sondern deren Tochter gemeint sei, ein, wie man sieht, ganz nichtiger Beweis, und doch hätte er sich auf Gen. 14, 14. 16 berufen können, wo אחיו im Sinne von בן אחיו steht. Alle Nachfolger 'Anâns verwerfen auch diese seine Auffassung und erklären אחותה entweder als Milchschwester (so Benjamin Nahawendi), worin sich der Einfluß des Islâm geltend macht, als Stiefschwester (so Daniel Qumisi), als Verwandte (so Hadassi), oder endlich als Glaubensgenossin überhaupt (so z. B. Aron b. Elia), und leiten daraus das Verbot der Polygamie ab²⁾.

¹⁾ Vgl. dazu RÉJ. XLV, 60 ff. In s. handschriftlichen Kitâb al-'anwâr XI, 26 weist Qirqisânî darauf hin, daß speziell in Deut. 23—25 das Wort אח im Sinne von Glaubensgenosse sehr häufig ist, so 23, 20; 24, 7. 14; 25, 11, außerdem noch 15, 7. 9. 12; 17, 20 usw.

²⁾ Vgl. dazu RÉJ XLV, 185 ff.; Schechter, Documents I, p. XVIII; Ginzberg, MGWJ LV, 690 u. s. Bemerkungen zu Geigers מאמרים קבוצת, meine Ausgabe, p. 390. — Zu den Erklärungen 'Anâns im übertragenen Sinne rechnet Harkavy p. XII noch seine Erklärung von שתי ערב Lev. 13, 59 als Pflanzen und Tiere (p. 6: השתי כל: ... דשתי מיא והינינן זרעים ... או הערב היינו כל בהמות דאיקרי ערב וכו' eine der extra-

IV. Der erste bedeutende Lehrer nach 'Anân war Benjamin Nahawendi (erste Hälfte des IX. Jahrh.), mit dem auch der eigentliche Karäismus beginnt, denn bisher nannten sich die Karäer nach ihrem Stifter 'Ananiten¹⁾. Benjamin befestigte die Grundlagen des Karäismus und erweiterte sich, soweit wie möglich, vom Geiste des Talmud, in dem 'Anân, wie bereits bemerkt, noch tief steckte. Mit Benjamin beginnt auch die theologische Spekulation, und ist besonders seine Ansicht von dem Engel, der die Welt erschaffen, die mit der Lehre Philos vom Logos so verwandt ist, bekannt. Die Allegorie wandte er zunächst als Erklärungsmethode bei nichtpentateuchischen Büchern der Bibel an. So sagt Salmon b. Jeroham am Anfange seines Kommentars zu Kohelet (bei Hirschfeld, Arabic Chrestomathy, p. 103; vgl. auch Pinsker, p. 109), daß manche dieses biblische Buch im übertragenen Sinne erklären, 1, 5 z. B. auf das Entstehen der Herrschaft Israels und ihren Niedergang deuten; 12, 3 auf den Tempel und die ihn hütenden Priester und Leviten usw. und daß der erste, der so verfuhr, Benjamin gewesen (dessen Erklärungsweise Salmon nun verwirft). Benjamin wandte aber die allegorische Methode auch auf die Erklärung der pentateuchischen Vorschriften an und seine charakteristischste diesbezügliche Deutung ist die von Ex. 22, 28, die ibn Ezra in der Einleitung zu s. ausführlichen Pentateuchkommentar anführt: כאשר עשה בנימין שהיה משמאל גם מימין Danach erklärte er מלאה als Schwangerschaft (wohl nach Koh. 11, 5), als Sperma und leitete aus unserem Vers die Vorschrift, mit dem Heiraten nicht allzulange zu warten. Zu bemerken ist, daß im gangbaren Komm. z. St. ibn Ezra diese Erklärung als die Ben Zufa's an-

vagantesten Erklärungen 'Anâns), von אונק Deut. 23, 14 als Hose (p. 30) und von צורים Jos. 5, 2 als Schere (p. 83, s. ob.). Aber an allen diesen Stellen glaubte ja 'Anân der buchstäblichen Deutung zu folgen, indem nach ihm alle diese Worte nur diese und keine andere Bedeutung haben. In allen aber bisher angeführten allegorischen Beispielen hat nach ihm das betreffende Wort nur an der erklärten Stelle eine übertragene Bedeutung, sonst aber eine buchstäbliche, so z. B. נרי nur Ex. 23, 19 und Parallelstellen „Früchte“, sonst aber „Böckchen“ usw. Eher noch könnte man hier die Erklärung von יד Deut. 23, 13 als Ort (p. 28) heranziehen. Daß die sonderbare Erklärung von ניר הנשה Gen. 32, 33 bei ibn Ezra z. St., Hadassi (Eshkol 239, 1) und Aron b. Josef (Mibhar z. St.; von diesem verworfen), von 'Anân herrühre (so Harkavy p. 140, n. 2), ist nicht erwiesen.

¹⁾ Aber auch noch nach Benjamin und viel später hielten sich die 'Ananiten abgesondert von ihren Glaubensgenossen und bildeten sie noch zur Zeit Qirgisânis eine, wenn auch kleine, aber besondere Gemeinschaft. — Über Benjamin und seine hier angeführten Erklärungen s. meinen Art. in אנרי ישראל, s. v. (III, 126) und die dort zitierte Literatur.

führt, im kurzen Komm. dagegen als die der Häretiker (המכזשים) im allgemeinen. Wahrscheinlich haben Ben Zuṭa und andere Karäer sich diese Ansicht Benjamins angeeignet¹⁾.

Zu manchen der oben angeführten nicht sinngemäßen Erklärungen 'Anāns hat sich auch die Ansicht Benjamins erhalten, und diese ist zum Teil mit jenen übereinstimmend, zum Teil ihnen widersprechend. So deutete auch Benjamin Deut. 22, 10 in übertragenem Sinne auf die Begattung²⁾, in betreff Lev. 18, 21 dagegen wich auch er zwar vom äußeren Wortlaut ab, deduzierte aber daraus das Verbot, seine Kinder mit götzendienerischen Völkern zu verheiraten³⁾, also wie das Targum Jonatan und wie die von der Mishna verpönte Erklärung. אחים in Deut. 25, 5 deutete er wörtlich „Brüder“, behauptete aber, daß die Leviratehe nur dann zu vollziehen sei, wenn der verstorbene Bruder sich die Frau anverlobt, aber noch nicht geehelicht hat, eine Ansicht, die im Talmud (Jerush. Jebamot I 3 a²⁹; Babli Kiddushin 75 b) als die der Samariter bezeichnet wird⁴⁾. Das אחותה Lev. 18, 18 wiederum erklärte er, wie wir oben gesehen, als Milchschwester. — Hinzuzufügen wäre noch seine Erklärung von במחורתה Ex. 22, 1, das er im erweiterten Sinne auf jede Art von Öffnung bezog⁵⁾.

Der zweite bedeutende Lehrer nach 'Anān war Daniel Qumisi (zweite Hälfte des IX. Jahrh.), von dem wir oben hörten, daß er jeder bildlichen Erklärung des Gesetzes abhold gewesen und deswegen die Deutung 'Anāns von גרי בחלב אמו verwarf. Dagegen akzeptierte er seine Erklärung von אחים Deut. 25, 5 als Verwandte und erklärte auch אחותה Lev. 18, 18 nicht wörtlich als Schwester, aber auch nicht als 'Anān Nichte, sondern, wie bereits bemerkt, als Stiefschwester (vgl. Harkavy, p. 191). Sonstige hierher gehörige Ansichten Daniels sind von ihm nicht bekannt.

V. Alle bisher angeführten Beispiele einer allegorischen Gesetzesauslegung bei den ersten Karäern sind sporadischen Charakters, und läßt sich in ihnen kein Prinzip erkennen. Stellung zu ihr nimmt zuerst Qir-qisāni in seinem bereits erwähnten und im Jahre 937 verfaßten Kitāb

¹⁾ Vgl. dazu meine Ausführungen MGWJ. XLI, 208. In 'Anāns Buch der Gebote (ed. Harkavy, p. 63) findet sich nichts über unseren Vers.

²⁾ S. oben, p. 242.

³⁾ In Fortsetzung der oben p. 244 mitgeteilten Worte Qir-qisāni heißt es: ונבימין איצא בעד אן אבי עלי אנה אנמא קצד בדרך תקריב אולאד ללאותאן קאל קולא שבה מא קיל פי אמר אלתוויז פקאל אן קולה ומורעד לא תתן חרם אלאכתלאט בהם ואלתוויז מנהם אלך.

⁴⁾ S. RÉJ. XLV, 62.

⁵⁾ Qir-qisāni I, 14 (p. 314, l. 9).

al-'anwâr w'al-marâqib, Absch. IV, Kap. 22—23, die hier in Beilage I zum ersten Male mitgeteilt werden, und ist es sehr wahrscheinlich, daß er dies unter dem Einflusse seines Zeitgenossen Saadja getan hat ¹⁾. Auch Qirqisâni betont, daß die gesetzlichen Vorschriften im allgemeinen nur dem äußeren Sinne nach erklärt werden müssen, da sie sonst ganz aufgelöst werden könnten. Dazu kann ja der innere Sinn verschiedenartig sein und ein jeder könnte dann das Gesetz nach seinem Gutdünken deuten. Qirqisâni verwirft daher, wie wir bereits oben gesehen, die bildlichen Erklärungen von *לא תבשל גרי בחלב אמו* ²⁾ und von *לא תחרש* *בשור ובהמור יהור*, da hier für ein Abweichen vom Wortlaut gar kein Grund vorliege. Er gibt aber zu, daß es Fälle gebe, wo manche Gesetze durchaus allegorisch erklärt werden müssen, weil die wörtliche Auffassung sich als unmöglich erweise, bei anderen wiederum sei neben dem äußeren Sinne auch noch ein innerer zulässig. Als frappantes Beispiel zitiert er Deut. 10, 16 a, das doch notwendig nur als bildliche Redensart aufgefaßt werden müsse, da doch das Herz keine Vorhaut habe ³⁾. Qirqisâni akzeptiert nun die allegorische Erklärung 'Anâns von Ex. 34, 21, weil, wie wir bereits oben in seinem Namen angeführt, am Sabbat doch nicht nur Pflügen und Ernten, sondern jede Art von Arbeit verboten sei, also hätte das Hervorheben gerade dieser beiden Arbeiten gar keinen Sinn. Inbetreff Deut. 24, 6 wiederum ist er der Meinung, daß dieses Verbot zunächst wörtlich zu erklären sei, d. h. daß man Handmühle und Mühlstein nicht pfänden darf, daneben sei es aber auch allegorisch im Sinne 'Anâns zu erklären. Außerdem gibt aber Qirqisâni noch zwei Beispiele allegorischer Gesetzesauslegung, denen wir bisher nicht begegnet sind und von denen wir nicht wissen, ob sie von ihm selbst stammen, oder ob er sie den Vorgängern entnommen.

Das eine Beispiel ist Deut. 6, 9, das nach Qirqisâni unmöglich wörtlich erklärt werden kann, da man doch nicht die Tora auf den Pfosten des Hauses und auf den Toren niederschreiben vermag. Das Gebot ist also allegorisch wie Prov. 7, 3 f. aufzufassen und wird hier geboten, über die Lehre Gottes den größten Teil seiner Zeit nachzudenken, so daß

¹⁾ Ganz deutlich unter dem Einflusse Saadjas steht, ohne ihn zu nennen, Aron b. Josef (Mibhar zu Ex. fol. 31 a), der ebenfalls vier Fälle anführt, wo das Schriftwort allegorisch zu erklären ist. Dabei ist der dritte Fall Saadjas bei ihm der vierte, anstatt des vierten aber, der für einen Karäer unannehmbar ist, hat Aron einen anderen (dritten): wenn gegen die wörtliche Auffassung Beweise erbracht werden können.

²⁾ Merkwürdig aber ist es, daß Qirqisâni einmal dieses Verbot nur dem Wortlaut nach erklärt wissen will, das andere Mal aber neben einer wörtlichen Erklärung auch eine im übertragenen Sinne zuläßt.

³⁾ Vgl. die Worte 'Anâns bei Harkavy, p. 70.

sie im Herzen als etwas Geschriebenes und Aufgezeichnetes sich befestige. Dabei bedeutet ביתך ובשערך in deinem Inneren und Äußeren. Von den Nachfolgern Qirqisânis ziehen den Vers der Prov. heran: Hadassi (Eshkol 168 י), Aron b. Elia (Keter Tora z. St.) und Mordechaj b. Nisan (לבוש מלכות ed. Neubauer, p. נב), dessen Ausführungen auch sonst sehr interessant sind ¹⁾. Merkwürdig ist es nun, daß Qirqisâni nur von dem Gebote der Mezuza und nicht auch von dem der Tefillin spricht, das doch alle Karäer ebenfalls allegorisch und ebenfalls meistens mit Berufung auf den genannten Vers der Prov. erklärten. So David b. Abraham al-Fâsi (s. Pinsker, p. קנב), Jefet b. 'Ali (s. Harkavy, p. 142 n. 14), 'Ali b. Sulejmân (Pinsker, l. c.), Hadassi (Eshkol, l. c.), Aron b. Josef (zu Ex. 13, 16 u. Deut. 6, 8), Aron b. Elia (zu Ez. 13, 16), Mordechaj b. Nisan (l. c.) usw. Ob schon 'Anân diese Gebote allegorisch gedeutet hat, ist nicht bekannt, wie es aber scheint, war es nicht der Fall ²⁾. Bekanntlich aber wurde Deut. 6, 8 auch von manchen rabbinischen Autoren allegorisch gedeutet, ohne daß sie daraus praktische Folgen gezogen hätten, so von Menahem b. Sarûk (Lexikon s. v. טף), von Samuel b. Meir (zu Ex. 13, 9) und von einem anonymen Kommentator zu Prov. 7, 3 (s. ZfHB. XI, 135).

Das zweite von Qirqisâni angeführte Beispiel ist Lev. 19, 26 a, das, wie wir oben erwähnt, schon in Sifrâ z. St. von manchen Tannaiten in übertragenem Sinne erklärt wurde. Wie dieses Verbot allegorisch zu deuten sei, sagt Qirqisâni nicht, doch können wir es durch andere karäische Autoren erfahren. Am ausführlichsten handeln darüber: Jefet b. 'Ali in s. handschriftlichen Komm. zu I. Sam. 14, 32—35 und Hadassi (Eshkol 226 י ff.). Danach kann unser Vers durch I. Sam. 14, 32 und Ezech. 33, 25 erklärt werden. Jedes Schlachten, auch von nicht geopfertem Tieren, das nicht auf einem Altar geschieht, ist in unser Verbot einbegriffen. Aus ihm folgt aber auch, daß man derart geschlachtetes Fleisch nicht genießen darf, und endlich, daß man überhaupt nur dann schlachten darf, wenn ein Altar vorhanden ist, ist aber der Tempel zerstört, darf

¹⁾ Nach ibn Ezra z. St. sollen die Karäer (המכחישים) das Wort וכתבתם auf den Dekalog bezogen haben, in Mibhar z. St. wird aber in solcher Weise der Vers 8 a erklärt.

²⁾ Im Buche der Gebote (ed. Harkavy, p. 24) spricht 'Anân von dem Gebot des Studiums der Lehre mit Bezug auf Deut. 6, 7. Hätte er auch die beiden darauffolgenden Verse so gedeutet, wie seine Nachfolger, so hätte er sie bei dieser Gelegenheit heranziehen müssen; dies also gegen Harkavy p. 142, n. 12. 14. Man kann auch daher nicht mit Ginzberg (Geonica I, 111 n. 2) behaupten, daß das Responsum Jehudais über die Wichtigkeit der Tefillin (שערי תשובה nr. 153) gegen die Karäer, d. h. gegen 'Anân, gerichtet sei.

überhaupt kein Fleisch genossen werden. Gegen dieses Verbot vergingen sich die Zeitgenossen Ezechiels, die nun der Prophet in dem oben zitierten Vers zurechtweist ¹⁾). Auch Qirqisâni muß unsern Vers derartig gedeutet haben und wahrscheinlich in s. Pentateuchkomm. Kitâb ar-rijâd w'al-hadâiq z. St.

Als Beispiel jener gesetzlichen Vorschriften endlich, die sowohl wörtlich als auch im übertragenen Sinne gedeutet werden müssen, führt Qirqisâni Lev. 19, 14 an, wo unter חרש zunächst ein Tauber, aber auch ein jeder Abwesende, der den Fluch nicht hört, und unter עיר zunächst ein Blinder, aber dann auch jeder, der den ihm drohenden Anstoß nicht sieht, gemeint sei. Aber diese Auffassung, die ja, was עיר anbetrifft, sich z. B. auch in Sifrâ z. St. findet, kann eigentlich nicht als allegorische Auslegung im strengen Sinne des Wortes aufgefaßt werden. Sie gehört vielmehr zu der oben mit der Regel דבר הכתוב בהורא bezeichneten Kategorie.

VI. Mit Qirqisâni, dem Zeitgenossen Saadjas, schließen wir unsere Darstellung, doch wollen wir daran noch anhangsweise eine karäische Polemik gegen eine allegorische Deutung des Gaon anfügen, die zwar sich auf einen nichtgesetzlichen Abschnitt des Pentateuch erstreckt, also zu unserem Thema nicht streng gehört, die aber das von uns entworfene Bild gewissermaßen vervollständigt. Trotz seiner Grundsätze von der Zulässigkeit einer allegorischen Schriftauslegung, die oben angeführt wurden, konnte Saadja nicht umhin, auch solche Schriftstellen symbolisch zu deuten, die nicht unter die von ihm erwähnten vier Kategorien fallen. So erklärte er auch allegorisch die Vision Abrahams in Gen. 15, wie dies ja auch schon im Midrash geschieht. Diese Erklärung Saadjas wird in Dunashs Kritik gegen ihn (ed. Schröter nr. 7) angedeutet, von Jefet b. 'Ali in s. handschriftlichen Komm. zu 15, 12 ausführlich mitgeteilt und widerlegt ²⁾). Saadja deutete nämlich das Kalb auf das babylonische Reich, die Ziege auf das griechische, den Widder auf das medo-persische. Inbetreff der Turteltaube und der jungen Taube schwankte er. Einmal ist jene nach ihm ein Symbol für Edom (Christentum) und diese für Ismael (Islâm), das andere Mal wiederum ist jene ein Sym-

¹⁾ S. die Worte Jefets in Beilage III und dazu das Zitat bei Harkavy, p. 207 unt. Durch Jefet wird vieles in der weitschweifenden Auseinandersetzung Hadassis verständlicher. Vgl. noch Mibhar u. Keter Tora zu Lev., l. c., und Jakob b. Reubens על הדם תאכלו כי היה יושבו צאן ובקר אחר הרבן המקדש: l. c.: ספר העשר. Über den verbotenen Fleischgenuß nach der Zerstörung des Tempels bei den Karäern s. vorläufig meinen Aufsatz in הדרן II, 97 u. Friedländer in JQR., N. S. III, 293; ausführlicher darüber in einem anderen Zusammenhang.

²⁾ S. Beilage II.

wie die Turteltaube, verglichen werden? 3. Wie ist es endlich möglich, daß drei Reiche mit viehartigen Tieren verglichen werden (Kalb, Ziege und Widder), das vierte, mächtigste aber mit einem kleinen schwachen Vogel? Von jenen drei heißt es auch: „Und er zerschneidet sie in der Mitte“, was doch wohl bedeuten soll, daß diese drei Reiche zugrunde gehen werden. Demnach müßten Edom und Ismael, da es von ihnen heißt: „und den Vogel zerschneidet er nicht“, bestehen bleiben, es heißt doch aber (Dan. 7, 11): Ich sah und das [vierte] Tier wurde getötet. Saadja hat es auch unterlassen, so bemerkt Jefet weiter, eine Erklärung für den עֵשׂ, den Rauch, die Flamme, und für den Untergang der Sonne zu geben. Seine ganze Deutung sei also hinfällig und ebenso seine Ansicht, daß hier die Auferstehung angedeutet sei. Wäre aber Saadja, so schließt Jefet, hier wie an vielen anderen Stellen seinem Prinzipie treu geblieben, nämlich man solle die Schrift, wo kein zwingender Grund vorhanden sei, nicht allegorisch deuten, so hätte er diesem glitscherigen Boden leicht entschlüpfen können.

Diese Schlußbemerkung Jefets ist insofern verwunderlicher, als er ja vor der Erklärung Saadjas noch einige ganz ähnliche anführt, in denen die Tiere der Vision ebenfalls symbolisch gedeutet werden und die aller Wahrscheinlichkeit nach von Karäern herrühren, da er sonst auch sie als rabbinisch bezeichnet hätte ¹⁾.

Beilagen.

I. Aus Qirqisânîs Kitâb al-'anwâr, Abschn. IV, Kap. 22—23. Ms. Brit. Mus. or. 2579 (Cat. II nr. 505) fol. 57 ²⁾.

אלבאב אלתאני ואלעשרון

פִּי אֵן אֶלְפֶּרַאִין בִּאֶסְרֵהָ עָלֵי טֶאֶהֲרֵהָ אֵלֶּא אֵן יִלְחַק אֶלְטֶאֶהֲרֵהָ
פֶּסֶאֶד וְאִיהָאֵם מִנְאֶקְצָה וְלִים הָדֵא פִּי אֶלְפֶּרַאִין פֶּקֶט בֵּל פִּי גִמֵּעַ אֶלְכְּתֶאֶב
מִן אֶלְאֶבְבֶּאֶר וְגִירֵהָ וְקֵד בִּינָא בַּעֲץ דִּלְךָ פִּי גִיר הָדֵא אֶלְמוֹצֵעַ וְדִלְךָ אֵנָּה

¹⁾ In Mibhâr z. St. heißt es: גדולת האמות והשפלתם כמו וידעת אמרם כי הודיע לו גדולת האמות והשפלתם כמו שהראה לדניאל וזכריה והעיס הוא המשיח קורא ממזרח עֵשׂ ומלכר זה הרבו פנים ולא ישרו בעיני לכתבם. Meint hier Aron b. Josef karäische oder midrashische Deutungen?

²⁾ Diese beiden Kapitel sind in der Handschrift (auch die zitierten Bibelstellen) mit arab. Lettern geschrieben, ich habe sie aber der Bequemlichkeit halber in hebr. Lettern transkribiert. Eine Kollation dieser, sowie der dritten Beilage mit den Handschriften des Br. Mus. besorgte mir in liebenswürdiger Weise Rev. G. Margoliouth, wofür ihm auch hier bestens gedankt sei.

לו גֵּאֵז אֵן יִזְעַל שִׂיא מִן אֶלְפֶּרַאִיץ לֵה בִּאטֶן גִּיר אֶלְטֶאָהֶר מִן גִּיר אֵן יִדְעֹנֶא אֵלִי דְּלֶךְ צִרּוּרָה בְּמֵא דְּכִרְנָאָה מִן תַּחֲקֶךְ אֶלְפֶּסְאָד לֶלְטֶאָהֶר לִגֵּאֵז לִנֵּא אֵן נִפְעַל דְּלֶךְ פִּי גִמִּיעַ אֶלְפֶּרַאִיץ וּכְאֵנֶת אֶלְפֶּרַאִיץ תְּבַטֵּל בִּאסְרֵהָא וְלִם יַעֲרָף לִשִׁי מִנְהָא חֲקִיקָה אֵד כֵּאֵן אֶלְבֶּאטֶן אֵלִדִּי הוּ אֶלְתֶּאֱוִיל קִד יִתְצַרֵּף עֲלִי גֵהָאֵת וּיִתְסַע לְבַל מִתֶּאֱוִיל אֵן יִתֶּאֱוִיל מֵא יִרִיד פִּיכּוֹן פִּי דְּלֶךְ גֵּאִיָּה אֶלְפֶּסְאָד וְאֶלְקוּל פִּי הִדֵּא אֲבִין מִן אֵן יִחְתַּאֲג אֵלִי אֶלְטֶנֶאב¹ וְקִד דֵּהֶב רֵאס אֶלְגִּלוֹת פִּי קוּל אֶלְכְּתֶאב לֹא תְּבַשֵּׁל גִּירִי בַחֲלֵב אִמּוּי² אֵלִי אֶלְבֶּאטֶן וְאֶלְתֶּאֱוִיל וְהוּ אֵנֶה אֶרֶאֶד אֵן לֹא תוֹכֵר אֱוִיל אֶלְגִּלֹּת מִן גִּיר אֵן תֵּאֲתִי בֵּהָא אֵלִי בֵּית אֶלְלָה וְלֹא תִדְעָהָא חֲתִי תִנְצֵג אִי תְּבִלֵּג נַעֲמֵא פִי אֶלְאֶרִיץ וּוְאֶפְקֵה עֲלִי דְּלֶךְ גִּמִּאעָה מִן אַצְחֶאבְנֵא מִן גִּיר צִרּוּרָה תוֹנֵב אֵן יִכּוֹן פִּיה תַּחֲרִים טִבִּיךְ אֶלְגִּדִּי בִּלְבָן אִמָּה וְהִדֵּה אֶלְפִּרִיצָה מִדְּכּוּרָה פִּי אֶלְכְּתֶאב פִּי תִלְתָּה מוֹאצֵּעַ אֶתְנַתָּן מִנְהָא בְּקוּל פִּי אוּל אֶלְפֶּסְקוּ רֵאשִׁית בְּכוּרִי אֶדְמַתֵּךְ תְּבִיא בֵּית יוּי אֱלֹהִיךָ³ וְאֶלְאֶכֶר קוּלָּה לֹא [תִּאכְלוּ כֹל נְבִלָה]⁴ פֶּאֶלְאֹולֶאן יִגּוּ עֲלִיהֶמָּא אֶלְתֶּאֱוִיל עֲלִי מֵא קִלְנֵא וְהִדֵּא אֶלְבֶּאב פֶּלֶא יִגּוּ אֵן נִכְרַג עֵן שִׂאָהֶרֶה וּכְאֶצִּיָּה אֵן תִּקְדָּמָה מֵאִשִּׁיא כֹלָה מִן דְּכִר אֶלְחִיוֶאן אֵלִדִּי הוּ תַּחֲרִים אֶכֶל אֶלְנְבִלָה⁵ וְכִדְלֶךְ פֶּעַל אִיצֵא אַעֲנִי עֵאנָן פִּי קוּל אֶלְכְּתֶאב לֹא תַּחֲרוּשׁ בִּשּׁוּר וּבַחֲמוּר יַחֲדוּ⁶ פֶּאֶנֶה גִּעֵלָה רֶאֲגֵעָא אֵלִי אֶלְגִּמֵּאעַ מִן גִּיר צִרּוּרָה וְלֹא פֶּסְאָד יִמְנַע מִן אֵן יִכּוֹן חֶרֶם בֵּה אֶלְחֶרֶת בִּאֶלְגִּמִּיעַ⁷

אֶלְבֶּאב אֶלְתֶּאֱלֵת וְאֶלְעֶשְׂרוֹן

פִּי אֵן הֶאֱהֵנֵא פֶּרַאִיץ עֲלִי בִּאטֶנֶהָ צִרּוּרָה¹ דְּלֶךְ מֵתֵל קוּלָּה וּכְתַבְתֶּם עַל מוֹזוֹת בֵּיתֶךְ וּבִשְׁעֶרֶיךָ² אֵד כֵּאֵן מִן אֶלְמַחֲאֵל אֵן יֶאֱמֵרְנָא אֵן נִכְתַּב אֶלְתּוֹרֶאָה עֲלִי דְּרוּנְדֶּאֲתֵנֵא³ וְאִבּוֹאֲבֵנֵא וְלוֹ כֵּאֵן קֶצֶד שִׂיא מִנְהָא יִסִּירֵא לְבִינָה מֵא הוּ פֶּעַלְמֵנֵא חִינִידִי לֹא מַחֲאֵלָה אֵן דְּלֶךְ נִפְיִיר קוּלָּה כְּתַבְתֶּם עַל לוֹה לְבֶךְ⁴ לִים אֵנֶה כְּתֶאבָּה וְאִנְמֵא הוּ אֵן יִכּוֹן תִּפְכֵּר פִּיהָ פִּי אֶכְתֵּר זִמְאֵנֶךְ חֲתִי תִתְּבַת פִּי קִלְבֶךְ כֵּאֲלִשִׁי אֶלְמַכְתּוּב וְאֶלְמֶרְסוּס וְקוּלָּה בֵּיתֶךְ וּבִשְׁעֶרֶיךָ יִרִיד בֵּה פִּי שִׂאָהֶרֶךְ וּבִאטֶנֶךְ וּמֵתֵל דְּלֶךְ קוּלָּה לֹא תִאכְלוּ עַל הַדֶּם⁵

¹) Ex. 23, 19, 34, 26; Deut. 14, 21.

²) Ex. 23, 19, 34, 26.

³) Deut. 14, 21.

⁴) ib. 22, 10.

⁵) ib. 6, 9.

⁶) Prov. 7, 3.

⁷) Lev. 19, 26.

ומתל דלך קולה בחריש ובקציר תשבת¹⁾ פאנמא נעלם צרורה אנה לים
 אנמא חרם עלינא אלאעמאל פי אלסבת פי אלחרת ואלחצר פקט בל
 לדלך מעני אחר וסנדרר דלך פי מוצעה ומתל דלך קולה ומלתם את
 ערלת לבבכם²⁾ לים עלי טאהרה אד כאן לים ללקלב קלפה ולא בד מן
 אן יכון לדלך תאויל והו אזאלה אלגהל באלתאדיב ואעתיאר אעמאל
 אלצלחא ואלבה ען אלמסאוי והאהנא פראיץ איצא יחתמל אלבאטן
 ותצטר אליה גיר אנהא לא תכרג ען אלטאהר *ואלאמראן גמיעא גאזאן
 פיה אעני אלטאהר³⁾ ואלבאטן ודלך מתל קולה כי יקח איש אשה
 חדשה⁴⁾ קאל פיהא לא יחבל רחים ורכב⁵⁾ וכאן אנמא קצר פיה
 אלטאהר אלדי הו אסתרנאן אלרחא פאנה יגב מן דלך אן תכון הדה
 אלפריצה אנמא הי לאומה למן תווג אמראה בכרא פקט אד כאן איאה
 קצר בהדא אלאמר פעלם מן דלך אן הדא אראד בה שיא מן גנס אלמאע
 ודלך עלי מא סנשרחה פי מוצעה גיר אן⁶⁾ מע דלך לא יגזו לנא אן
 נסקט אלטאהר פוגב מע אסתעמאל אלבאטן אן לא יסתרנאן אלרחי
 איצא וכדלך כל מא אשבהה ממא יתכסב בה ומתל דלך איצא מא
 קלנאה פי לא תבשל גדי ומתל דלך לא תקלל חרש⁷⁾ פאנה אן כאו
 אראד בה מן לים הו באלחצרה ולים סאמעא ללען פאנה לא יכרג מן
 דלך איצא אלטארש באלחקיקה וכדלך אן כאן קולה ולפני עור לא תתן
 מכשל⁸⁾ אראד בה אן לא תצל מן לא יעלם ולא יבצר לא פי אלדין ולא
 פי אלדניא פאנה לא יכרג מנה אללאעמי אלחקיקי ואנה יחרם עליך
 אן תענוה⁹⁾

II. Aus Jefet b. 'Alis Komm. zu Gen. 15, 12.

Ms. Berol. Cat. Steinschneider II nr. 199.

וידי השמש באה... וקום דהבו עלי אן כל דלך ראי¹⁾ פי אלמחזה
 אעני אלד הדה אלדווס²⁾ ותשמירהא¹⁰⁾ ונזול אלטאיר עליהא וגיבובה

¹⁾ Ex. 34, 21.

²⁾ Deut. 10, 16.

³⁾ Diese Worte sind durch ein Homoioteleuton ausgefallen und stehen in der Handschrift am Rande.

⁴⁾ Deut. 24, 5.

⁵⁾ ib. 6.

⁶⁾ Ms. לף.

⁷⁾ Lev. 19, 14.

⁸⁾ Ms. ראה.

⁹⁾ Ms. אלראוס.

¹⁰⁾ Ms. ותשמירהא.

אלשמש ונטר תנור עשן ולפיד אש כל דלך כאן פי אלמחזה ולה תאויל
 פנעלו אלר״ם עלי מלכות הגוים ואכתלפו פי דלך קום דהבו עלי אן
 עגלה משלשת הי מצרים כק' עגלה יפה פיה מצרים¹⁾ וקום געלוהא עלי
 מלכות בבל כק' פיהא כי תפושו כעגלה דשה²⁾ ואלעז הי מלכות יון
 כק' והצפיר השעיר³⁾ ואן אלאל הי פרס ומדי כק' האיל אשר ראית
 בעל הקרנים מלכי מדי ופרס⁴⁾ ובקי עליהם אלמלך אלדי לס ידברה
 אלנץ פקום מנה זעם אנה תחת קולה עגלה משלשת לאן מלכות כשדים
 ומלכות ישמעאל גמיעא פי בבל ובקי עליהם אדום ומן אלמעלוס מן
 אלכתאב געל אדום חיואנה בראסהא וגעל ישמעאל קרן אחת מנהא
 כק' משתכל הוית בקרנא ואלו קרן אחרי זעירה סלקת ביניהון⁵⁾ ובקי
 עליהם איצא אן מלכות יון בעד מלכות פרס והאהנא קדם אלעז עלי
 אלאל פלם יאבהו אלי שיי מן הדא⁶⁾ וראם אלמתיבה ענד מא אחתפל
 געל אלעגלה מלכות כשדים ואלעז מלך יון ואלאל מלך פרס ומדי ותחיר
 פי אדום וישמעאל פמרה קאל אן תור וגוזל המא אדום וישמעאל ומרה
 קאל אן אלתור עלי אדום וישמעאל גמיעא ואלגוזל הי ישראל ולם יאבה
 עלי ג צרוב תלזמה אחדהא תקדים אלעז עלי אלאל כמא דכרנא ואלב
 אנה געל אלתור עלי מלכות הגוים ואלכתאב מתל ישראל [בה] כק' אל
 תתן לחית נפש תורך⁷⁾ ואן מתל מלכות הגוים באלטאיר פאנמא מתלה
 באלטאיר אלטמי אלמפתרם כמא מתל נבוכדנצר בנשר כק' הנשר
 הגדול⁸⁾ פאמא אלתור פהו⁹⁾ טאיר טאהר¹⁰⁾ פלים לנאחיה מטמוע בה
 פכיה יגוז ימתל¹¹⁾ בה אדום אלמקול פיהא דחילה ואימתני ותקפא
 [יתירה]¹²⁾ ואלג כיה יגוז אן ימתל פי הדא אלמוצע אלג ממאלך בבהאם
 וימתל אלדי אלתי הי אעטם אלכל בשפנין אלדי הי אלטאיר אלצעיק
 ועליה איצא אנה קאל פי אלג ממאלך ויבתר אותם בתוך פאן כאן תאוילה
 תבעיק אלממאלך והלאכהא פתרי מלכות אדום וישמעאל תבקא ואלים

1) Jer. 46, 20 (Ms. יספיה).

2) ib. 50, 11.

3) Dan. 8, 21.

4) ib. 20.

5) ib. 7, 8.

6) Ps. 74, 19.

7) Ezech. 17, 3.

8) Ms. הו.

9) Ms. אלטאהר.

10) Ms. יומתל.

11) Dan. 7, 7.

קאל חזה הוית עד די קטילת חיותא¹⁾ פכין קאל ואת הצפור לא בתר תם אנה לם יצע תאויל אלעיט ותנור עשן ולפיד אש ולא תאויל ביאת השמש פיםכן אנה תחיר פי דלך ולם יגדלה סביל והיה אלאקאויל כלהא קאלהא ען גיר תחציל²⁾ גזאפא תם אנה געל טאהר וישב אותם אברם טרד אברם ללעיט וגעל תאוילה תחרך אברם ללפגרים והיא איצא קולה בגיר תחציל ומע דלך אדעא אן קצר בה עלי תחיית המתים כל הדא ידל עלי תחירה פי הדא אלפצל פלו משא עלי טאהרה כעאדתה פי כתר מן אלמואצע אלדי ירד עלי מן אכרג אלנצוץ ען טאהרהא אלי אלתאויל בגיר מאנע לכאן קד סלם מן הדא אלזלכה אלכבירה ליכן אלגלות הי שלמה תחיר פיהא כל אחד

III. Aus Jefet b. 'Alis Komm. zu I. Sam. 14, 32—35. Ms. Brit. Mus. or. 2547 (Cat. I 278) fol. 96 b; or. 2499^{II} (Cat. I 276) fol. 47 a³⁾.

... וקד בקי עלינא אלכלאם פי תלתה אשיא- אחדהא פי מא דבחוה אהו זבח קדש או חול ואלתאני הל שחמה ודמה אחרק עלי אלמדבח אם לא ואלתאלת [מא הו מעני ויאכל העם] על הדם ' אחתג קום אנה גיר⁴⁾ קדש מן גהתינ אחדהמא אנה דבח באלליל ולים תם שי- ידבח באלליל גיר אלפסח פקט ואנה ידבח ענד אלמשא- ואלתאני אנה כארג אלקדש פי גיר מוצע [אעני?] מוצע פיה דכר אללה כקולה בכל המקום אשר אזכיר את שמי [אבוא אליך וברכתך] ולדלך [אלדבח חלים וגעלוא הדא אלפצל עלי אן בשר חול יחתאג אלי מדבח ואן מן דבח עלי וגה אלצחרא- מן גיר מדבח הו אוכל על הדם ואן קולה לא תאכלו על הדם הדא תפסירה אעני אנה לא ידבח על⁵⁾ פני השדה ואצאף בנימין אלנהא וגדי עלי הדין אלשיין שי- אכר והו אן אלקום כאנו טמאי מת כקולה ויכו ביום ההוא בפלשתים ממכמש אילנה⁶⁾ וטמא נפש לא יאכל קדש ' וקאל קום אנה זבח שלמים ואנה לים יגב אליה מן אלשרוט מא יגב ללשלמים אלתי תעמל פי אלקדם ודלך אנה יגו אן

¹⁾ ib. 11.

²⁾ Ms. תחציל.

³⁾ Ms. 2547 ist geschrieben durchweg mit arab. Lettern, Ms. 2499 beginnt erst etwas weiter.

⁴⁾ Dieses Wort steht am Rande.

⁵⁾ Ex. 20, 24.

⁶⁾ Hier beginnt Ms. 2499.

⁷⁾ I. Sam. 14, 31 (Ms. אלונה).

נדבֿח פֿי כֹּל מוֹצֵעַ מִן אֶרֶץ יִשְׂרָאֵל בְּעַד אֵן יִכּוֹן קֵד אֶתְתָּאֵר אֱלֹהֵהּ פֿי
 דִּלְךָ אֱלֹמִכְאֵן לִידְבַּח פֿיה פֿקֵד יִכּוֹן בַּחֲצֵרָה אֲרוֹן יְיָ וְקֵד לֹא יִכּוֹן בַּחֲצֵרָתָהּ
 מִתֵּל אֱלֹמִדְבַּח אֱלֹדִי יִבְנֵא פֿי הָרַ עֵיבֵל פֿאַן¹⁾ לֹם יִכּוֹן אֲרוֹן יְיָ פֿי הָרַ
 עֵיבֵל וְאֱלֹדִי יִדְבַּח בַּחֲצֵרָה אֱלֹאֲרוֹן פֿי בֵּית שֹׁמֶשׁ וְפִי קִצֵּה אֱלֹנְבִעָה וְפִי
 וְקֵת חִמֵּל אֱלֹאֲרוֹן מִן בֵּית עֹבֵד אֱדוֹם וְקֵד דִּכְרֵר אֵן קֵד כֹּאֵן אֲרוֹן יְיָ מִעֵהֶם
 כִּקּוּלָהּ כִּי הִיָּה אֲרוֹן הָאֱלֹהִים בְּיוֹם הַהוּא וּבְנֵי יִשְׂרָאֵל²⁾ וְאִנְמֵא לֹם יִגֹּז אֵן
 יִדְבַּח אֱלֹשְׁלָמִים פֿי אֱלֹקֵדֶם מִן אֲגֵל אֵן עוֹלֵת עֵרֵב תִּמְנַע גִּירָהָּ כִּקּוּלָהּ
 הִיא הָעוֹלָה עַל מוֹקֶדֶה עַל הַמִּזְבֵּחַ כֹּל הַלֵּילָה עַד הַבֹּקֶר³⁾ וְכִדְלֵךְ הָיָא
 אֱלֹשְׁלָמִים אֱלֹתֵי תִדְבַּח בְּרָא וְלֹא תַחֲתָאֵן אִיצָא אֱלִי זְרִיקֵת דֶּם עַל הַמִּזְבֵּחַ
 וְאִנְהּ וְאֵן כֹּאֵן פֿי אֱלֵעֶסְכֶּר שְׁמָאִים פֿקֵד כֹּאֵן פֿיהֶם טְהוּרִים אִיצָא פֿי
 אֱלִמְטְהוּרִים אֱלֹדִי אֲכָלוּ וְאֱלִמְטָאִים פִּלֶם יֹאכְלוּ פִּהֲדֵא הוּא כִּלְאֵם מִכְתַּצֵּר
 פֿיה הֵל כֹּאֵן זֹבַח חוֹל אוֹ זֹבַח מִדֵּשׁ פֿאַמֵּא אֱלֹקֵל פֿי אֱלֹדֶם וְאֱלֹשְׁחֶם פֿקֵד
 עִלְמֵנָא אִנְהּ קֵד קֹאֵל פֿי דֶם אֱלֹחִים עַל הָאֶרֶץ תִּשְׁפֹּכֵנוּ כְּמִים⁴⁾ וְלֹם
 יִדְכֵר מֵא עֵמֶל בִּשְׁחֵמָה אֲצֵלָא פֿאַן קִלְנָא אִנְהּ זֹבַח חוֹל עֲלִי מִדְּהַב בְּנִימִין
 וְתִבְאָעָה פֿיכּוֹן דְּמָה מִסְפּוֹךְ עֲלִי אֱלֹאֲרֵץ וְשַׁחֲמָה יַחֲרֹק עֲלִי אֱלֹמִדְבַּח וְאֵן
 כֹּאֵן בִּשְׁרֵי שְׁלָמִים פֿיגִזוּ אֵן יִכּוֹן דְּמָה וְשַׁחֲמָה עֲלִי אֱלֹמִדְבַּח וְאִמֵּא אֱלֹקֵל
 פֿי תִפְסִיר וְיֹאכֵל הָעֵם עַל הָדֶם פֿאַן הָדָה אֱלֹקִצֵּה תִנְבִּי אִנְהּ כִּלְאֵם פֿי
 אֱלֹמִדְבוֹת עַל פְּנֵי הַשָּׂדֶה וְעַנֵּד דִּלְךָ יִסְקֹט כֹּל תִּפְסִיר דִּכְרוּהּ⁵⁾ אֱלֹרְבָאֲנוּן
 פֿי לֹא תֹאכְלוּ עַל הָדֶם וּבְקִי פֿיה גִּי תִפְאִסִיר תִּתְרַגֵּחַ פֿי אֱלֹנְפֶם אֶחָד הוּא
 אִנְהּ מִן דְּבַח בִּקֵּר וְצֵאֵן מִן גִּיר מִדְּבַח הוּא אוֹכֵל עַל הָדֶם וְאֵן אֱלֹמִרָאֵד
 לִים הוּא שְׂאֵהֵר אֱלֹנִץ אֲעִנִי וְיֹאכֵל הָעֵם עַל הָדֶם וְדֹאךְ מִתֵּל אֲכָלוּ קִרְצוּהוּ⁶⁾
 אֱלֹדִי לִים אֱלֹמִרָאֵד שְׂאֵהֵר אֱלֹנִץ וּמִתֵּל מִגְדָּה בָּלוּ וְהִלֵּךְ⁷⁾ וְאֵן לִים קוּלָהּ
 וְיֹאכֵל הָעֵם עַל הָדֶם גִּיר וְיִשְׁחֲטוּ אֶרְצָהּ וְאֵן אֱלֹתוּרָה קֹאֵלֵת לֹא תֹאכְלוּ
 עַל הָדֶם⁸⁾ וְעֵרְףֵהּ אֱלֹאֲבָא־ אֱלֹמִרָאֵד פֿיה פִּדְכֵר לִנָּא דִּלְךָ פֿי אֱלֹמְעִשָּׂה
 פּוֹקִפְנָא עֲלִי תִפְסִירָהּ מִנָּה וְאֵלֵב אִנְהּ נָהִי אֱלֹהֵהּ עֵן אֲכָל אֱלֹמִדְבוֹת עַל
 פְּנֵי הַשָּׂדֶה וְקוּלָהּ לֹא תֹאכְלוּ עַל הָדֶם לֹא תֹאכְלוּ לֶחֶם דִּלְךָ אֱלֹשְׁבִין
 אֱלֹמִקוּל פֿיה דֹּאֲבַחָה דֶּם יַחֲשֵׁב לְאִישׁ הַהוּא דֶּם שִׁפְךָ⁹⁾ וְיִכּוֹן קוּלָהּ עַל

¹⁾ Ms. 2547: فانه.

²⁾ ib. 18.

³⁾ Lev. 6, 2.

⁴⁾ Deut. 12, 24.

⁵⁾ Ms. 2547: ذکرته.

⁶⁾ Dan. 6, 25 (Ms. אוכלו).

⁷⁾ Ezra 4, 13.

⁸⁾ Lev. 19, 26.

⁹⁾ ib. 17, 4.

הדם אשארֶה אליה פכאנֶה לם ידכר פי דלך אלפעל תחרים אכל לחם
 אלמדבוח ואנמא דכר חכם אלדאבח פקאל לא תאכלו על הדם פמנע
 ען אכלה והאולאי אלקום דבחוה על פני השדה ואכלוה פחצלו תחת
 חכם אלקתל למא דבחו על פני השדה וְתַחַת נְהִי לֹא¹⁾ תאכלו על הדם
 אד אכלוה ואלג אנה *אחד אלשׁוּט²⁾ אלחלים אנה לא יוכל אלא אן
 כאן מזבח אללה³⁾ עמאל פאדא במל חרם אכל חלים פלמא כרב
 אלקדם ובטלת אלקראבין ודבח יושב חרבות יאכלוהא קאל להם על
 הדם תאכלו³⁾

¹⁾ Fehlt in 2499.

²⁾ Ms. 2499: שרוט.

³⁾ Ezech. 33, 25.

Midrash Fragment.

By

Prof. Solomon Schechter, Litt. D., New York.

Introduction.

I am in possession of several Midrashic pieces, a certain number of which seem to me to come from lost Midrashim. The following piece, consisting of 1 leaf in prachment, represents the contents of such an unknown Midrash. It measures $12\frac{3}{4} \times 10\frac{3}{4}$ in. It is written in a fairly ancient Oriental hand, and numbers 37 lines to a page. It is torn in some places, whilst, as a consequence of long exposure, it shows also several obliterated lines or words. The lost Midrash, of which I can think in connection with this piece, may possibly be the Yelamdenu.

The Yelamdenu problem has been often discussed by various scholars, but the results arrived at are still under discussion¹). What is certain is that such a Midrash existed and was made use of by several of the mediaeval authorities. It is further fairly certain that large portions of it were embedded either by the compilers or by the copyists, in other Midrashim. But it would seem that these copyists have altered certain expressions and phrases peculiar to the Yelamdenu, in order to make the contents of their extracts uniform with the style and diction of the particular book occupying their attention²). This circumstance makes it very difficult, almost impossible, to ascertain the features characteristic of the real Yelamdenu. However, some of these features were retained in stray quotations, and where they are found, may be fairly taken as testifying to the origin of the passage in question as coming from the real Yelamdenu. And these are to be found also in our fragment.

¹) See literature in Greenhut's *הילמדנו תנחומא* and his *ספר הלוקמים* II: 16—28.

²) See Epstein *מקדמוניות היהודים* pp. 63 & 64.

³) See also *Agaddath Shir Hashirim* ed. Schechter, p. 104.

One of these features is a completeness bordering almost on diffusiveness, rarely to be found in other Midrashim. This can easily be seen by a comparison with extracts given from the *Yelamdenu* by various ancient authorities who still possessed this Midrash, with the parallel passages in the existing Midrashim. And this feature comes out very strikingly in our present Fragment which gives a long Derasha interpreting certain verses in Job to refer to the Generation of the Deluge. But this Derasha occurs in a very condensed form, also in the old Tanchuma נח, § 17, and in Tanchuma Buber, I: p. 27 b. Interesting is that the latter finishes the paragraph with the words: והורכרם הרבה אלא כרי והורכרם הרבה אלא כרי. שלא להטריח במנינם. The same feature of the completeness is promised through all the contents of our fragment, which could easily be compared with the parallel passages in the known Midrashim by means of the notes.

Another Yelamdenu feature is the expression אלהים, which our MS. gives except in one place with הא"ם instead of the הקב"ה used by the Tanchuma¹⁾. What I wish particularly to call attention to is to a certain correspondence between our text and the Agadath Bereshith, appearing in the latter in a very mutilated and corrupt text. One is almost inclined to believe that the Midrash from which our text comes, served as a basis for the Agadath Bereshith. However, I may come back to this subject on some other occasion.

This short preface will suffice for the present. I shall only in conclusion convey my congratulations to the Rev. Dr. Kaufman Kohler, President of the Hebrew Union College, in honour of whose Seventieth birthday this volume is published. He was always a great student of the Agadah, and I hope that this contribution will prove acceptable.

Recto

שנ' כי כרם יי צבא' בית יש' אט' הא"ם לבני נח שאלו לאביכם בשביל ששמור התורה והיה לו רחמים על העוף ועל הבהמה ריחמתי עליו אמ' ר' בן ר' | כל מי שהוא מרחם על הבריות יהא מבושר שלמים מרחם עליו מנין ונתן לך רחמים | ורחמך והרכך³ ומנין ששמר את התורה שנ' ונח מצא חן בעיני יי ואין חן אלא תורה | שנ' כי ליית חן הם לראשך וג' וכן תתן לראשך ליית חן⁴ ובשביל כך מלמד הא"ם ולכל | מי שהיה עמו והכתיב עליו שהוא צדיק

¹⁾ See Epstein, מקדמוניות, ibid and Hagadath Shir Hashirim, ibid.

²⁾ Isa. 5 : 7.

³⁾ Deut. 13 : 18. For a partial parallel, see Sifri, ed. Friedmann, p. 93 b, text and notes. The dots at the beginning of the Derasha indicate 3 or 4 words which are so obliterated as to make them entirely illegible. The first word shows traces of something like יתורה. See Tosefta ed. Zuckermann, p. 366.

⁴⁾ Prov. 1 : 9 and 4 : 9. See Sifra, p. 12 d on ויחונך and Num. Rab. XI : 6.

שהיו כל אותו הדור רשעים ופיים האים לנח | והכתוב עליו שהוא צדיק מנין ממה שקראו בעינין שקראו אלה תולדות נח וגו' זה | הוא שאמ' הכתוב יי' צדיק יבחן וגו' ימטר על רשעים פחים¹ וגו' יי' צדיק יבחן זה נח | שבדקו האים ומצאו צדיק שני' איש צדיק תמים היה ורשע ואוהב חמס² זה דור | המבול³ שהיו כולן גוזלין זה את זה ורודפין אחר החמס שני' ויאמר אים לנח קץ כל | בשר בא לפני וגו' היה לאחר מהן שדה והיה לחברו שדה אצלה והיה נוטל קטמעה | קטמעה מן התחום עד שהיה נוטל אותה שני' גבולות ישיגו⁴ וגו' וכן היה לאדם צאן והיה | חברו הולך ולוקח אחר אחר עד שהיה נוטל את כל העדר שני' עדר גזול וירעו⁵ וכן | היה יתום עני לוקח לו שיח אחד משהיה מגדלו היה אחר בא ונוהגו הימנו שני' חמור | יתומים ינהגו⁶ וגו' וכן היתה אשה אלמנה לוקחת לה עגל אחד ומגדלתו ומשהיה | נעשה שור היה בא אחר ונוטלו הימנה שני' יחבלו שור אלמנה⁷ כך עני בא ליכנס | לרין והיו ממין את דינו שני' יטו אכזבים מדרך⁸ כל אלו היו עושין חוץ מן העריות | שהיה בהן אמ' להן האים הרשעים שבעולם אחר חמס אתם רצים לכנוס כאן ממון | חייכם⁹ וכל ממון שכינסתן מן הגזל אני מאבד מן העולם שני' וימח את כל היקום אשר | על פני האדמה מהו היקום זה הממון כשם שני' בקרח ואת כל היקום אשר ברגלי[הם]¹⁰ | ולמה נקרא הממון יקום שהוא מעמיד את הרגלים¹¹ ואיבד אותן האים ואת מ[מונם] | היו ורשע ואוהב חמס שנאה נפשו ימטר על רשעים פחים ויהי הגשם על [הארץ וגו'] | כיון שאיבדו האים ואיבד ממנם שהיו גוזלין הציל נח מתוכן¹² עליה¹³ | החמס קם למטה רשע וגו' מהו ולא נח ב[הם] שאבדו הכל ולא היה נ¹⁴ אלה תולדות נח

דב[ר] אח[ר] אלה תולדות נח | לפיכך את האים התהלך נח אלא כיון שאיבד האים את דור¹⁵ | תפס בידו של נח והיה מיטיל עמו את

Cf. Lev. R. II : 10 and Seder Eliyahu R. ed. Friedmann, p. 35. The proof there, however, is not from Prov. but from Gen. 8 : 20.

¹) Ps. 11 : 6.

²) Ps. ibid. 5.

³) See Gen. Rabb. XXXII : 3.

⁴) Job 24 : 2.

⁵) Job ibid.

⁶) Job ibid. 3.

⁷) Job ibid.

⁸) Job ibid. 4.

⁹) The Ms. has here a mark pointing to the margin where the word אתם is supplied. Probably it should be אתכם.

¹⁰) Deut. 11 : 6.

¹¹) See Sanhedrin 110 a.

¹²) Almost the whole of the Derasha on the verses from Job are to be found in Tanchuma נח and Tanchuam Buber, I : 27 b, but in a very condensed form.

¹³) Supply עליהם [הכתוב אומר].

¹⁴) See Gen. Rab. XXXI : 1 and parallels given in the commentaries of the Derasha to Exek. 7 : 11. These would suggest to fill the gaps in the following way: ולא נח [בהם וגו' ללמדך] שאבדו הכל ולא היה [בהם אלא נח שבדקן]

¹⁵) Supply המבול.

האלהים התהלך נח¹ | צדיק אחד היה והיה' תופס בידו ומטיל עמו אף
 אתם ש² | שני ועמך | כלם צדיקים³ לעתיד לבוא אני עתיד להיות מטיל
 ב | והתהלכתי בתוכם⁴ | — ויוזר אים את נח ילמדנו רבנו הרואה את
 הקשת בענן מה הוא חייב לברך כך | שנו רבותינו הרואה את הקשת⁵
 ברוך אתה יי' אינו מלך הע' | וזכר הברית⁶ הרי מן המשנה⁷ | את
 קשתי נתתי בענן וג' והיתה הקשת | בענן וג' בוא וראה אין מעשה האים כמעשה
 בשר ודם בנוהג שבעולם מלך | בשר ודם יש לו אוהב והוא מחבבו יתר מדאי וכל
 זמן שהוא חי האהבה עומדת | לא עשה⁸ אלא כיון שמת בטלה האהבה אבל האים
 אינו כן אלא אוהב הוא את הצדיקים | שני יי' אוהב צדיקים⁹ היה אברהם אבינו
 אוהבו שני זרע אברהם אוהבו¹¹ וכל זמן | שהוא חי האים מחבבו לא עשה¹⁰ אלא
 מת אברהם קפץ האים ובא לו אצל יצחק להנחיל || (Verso) את האהבה שני ויהי אחרי
 מות אברהם ויברך אים את יצחק בנו וג'¹² ואחר כך מת יצחק | בא לו אצל יעקב בנו
 שני וירא אים אל יעקב¹³ עוד בנוהג שבעולם שנים נכנסין לדין | לפני השלטון אחד
 עני ואחד עשיר מהו עושה נוטל לאותו עשיר פנים יתיר מן העני והי¹⁴ | אלא משחק
 לעני ושומע לעשיר אבל האים אינו כן אלא הגדולים והקטנים שווין | לפניו הדע לך
 ראה מה כתוב הפילה למשה איש האים חפלה לעני כי יעטף¹⁵ השוה | משה גדולן
 של כל יש' ושל כל הנביאים לעני¹⁶ דבר אחר בנוהג שבעולם אם | יעמד עני לפני
 בעל הבית מבקש בידו צדקה ויתן לו כמה יתן לו מזון יום אחד או | מזון שני ימים
 או לכל השבת או לכל השנה או לשנים אבל האים אדם חייה שבעים או שמונים
 שנה או יתר וכל ימי חייו האים זן אותו¹⁷ דבר אחר אדם עולה | לספינה ויש עמו

¹) Perhaps we should supply נח.

²) Supply שנקראתם כולכם צדיקים.

³) Isa. 60 : 21.

⁴) Probably we had here בכבודי. The known Midrashim offer no real parallel. Only the Midrash Agada, ed. Buber, has the expression הקב"ה תופס בידו ומטיל עמו אף etc. Cf. Sifra, ed. Weiss, p. 111 b, the Derasha on בתוכם (Lev. 26 : 12).

⁵) Supply מברך מאי מברך.

⁶) See Berachoth, 59 a.

⁷) See Tanchuma § 6 and Tanchuma Buber, I : 16 b, according to which we have to supply here שנקרא מנין שנאמר.

⁸) Meaning of these two words is not clear to me. Perhaps it means, "he did not wait" or "tarry".

⁹) Ps. 146 : 8.

¹⁰) See Note 8.

¹¹) Isa. 41 : 8.

¹²) Gen. 25 : 11.

¹³) Gen. 35 : 9.

¹⁴) Reading doubtful. Perhaps it is והיך. The succeeding אלא is as it seems a peculiarity of the style of this Midrash. See the first four or five lines of the following page where these words occur without any particular necessity for it.

¹⁵) Ps. 90 : 1 and 102 : 1.

¹⁶) This Derasha is omitted in both Tanchumas, but some remainders of it can be found in the Agadath Bereshith, Ch. 6.

בהמה גמלים סוסים וחמורים אם עמדה רוח סערה בים מה הן | עושין משליכין את
 הבהמה לים וממליטין את בני אדם אבל האים אינו כן אלא | כיש לו רחמים על
 בני אדם כך יש לו רחמים על הבהמה שכך הוא אומר ורחמיו | על כל מעשיו¹.
 דבר אחר אדם יש לו בהמה אינה שקולה בבנים אלא | לעולם הבנים חביבין יתיר
 מן הבהמה אבל האים אינו כן אלא שזה לפניו תדע לך | אלא כשיבקש האים להאבד
 את כל העולם שקל בני אדם עם הבהמה | שני ויאמר | יי אמתה את האדם
 אשר בראתי לא עשה אלא כיון שבא האים להרצות לעולמו | ולהיזכר לנח הצדיק
 נזכר אף לחיה ולבהמה עמו מנין ממה שקראו בעיניו ויזכר אים את נח² ויזכר
 אים זה הוא שאמר הכתוב יי שמעתי שמעך וראתי³ | בשעה שהנכסיו דור המבול
 האים ואיכרן במי המבול היו אנשי דור המבול גבורים | [שני] מה הגבורים אשר
 מעולם⁴ ומה היו עושין אלא שגזר האים שיעלה תהום | ...⁵ אותם היה כל
 אחד ואחד מהן כובש על התהום שלא יעלה עליו שני ויסכרו | [מענות] תהום שהיו
 גבורים יתר מדאי מה עשה להן האים פתח עליהן ארובות | ...⁶ האים הם
 גבורים אף אני עשיתי כגבורתי שני נבקעו כל מענות | ...⁷ אכדו מן העולם
 כיון ש... מן העולם ביקש להאבד אף לנח | ...⁸ אמתה את האדם
 ונ' כי עש[יתם] ונח שאף נח היה עמהם בכלל אלא | ...⁹ קודמין בכל אותו
 הפעם נזכר האים לנח ומצא הן לפניו ומילטו | ...¹⁰ אים את נח הוי ברוגז
 רחם תזכר¹¹ אמ' דוד זכר רחמיך יי וחסדיך | ויזכר¹² אים את נח הרי יפה שמה¹³
 ואת כל החיה ואת כל הבהמה אמ' דוד צדקתך | כהררי אל¹⁴ אי להן לרשעים

¹) Ps. 145 : 9. This Derasha we have in a shortened form in both Tanchumas but the preceding one is omitted in the old Tanchuma.

²) See Tanchuma Buber where the end of the Derasha is to be found following the contents of the preceding א"ד.

³) Hab. 3 : 1.

⁴) Gen. 6 : 4.

⁵) Supply ויצף.

⁶) Supply השמים אמר ארובות.

⁷) Supply רבה. See for a remainder of this Derasha, Tanchuma § 7. See also Gen. Rab. XXXI : 12, and other parallels given there in the commentaries.

⁸) Supply שנאמר.

⁹) Perhaps we should supply רחמיו.

¹⁰) Perhaps we should supply ויזכר תולדותיו ויזכר. A similar Derasha we have about Adam in Gen. Rab. XXII : 1.

¹¹) Hab. 3 : 1. Some reminiscence of this Derasha is to be found in the Agadath Bereshith, Ch. 5, about the end.

¹²) Ps. 25 : 6.

¹³) The meaning of these three words is not clear to me. Perhaps שמה is a corruption of דרשה. See Pesikta Rab., p. 28 b, הרי יפה. Parallels as to the unworthiness of Noah are to be found in Gen. Rab. XXIX : 1 and Sanhedrin, 108 a. Cf. commentaries for other passages.

¹⁴) Ps. 36 : 7. The real Derasha is on the second clause of the verse ובהמה אדם וחיית. Cf. Gen. Rab. XXXIII : 1 about the end, Pesikta Buber, p. 73 b, and Tanchuma Buber, I : 18 a, and parallels given there by the commentators.

אי להן לדיבוקיהן אשריהן הצדיקים ואשרי דיבוקיהן | כשאבדו דור המבול אבדו עמהן
 כל החיה וכל הבהמה שני ויגוע כל בשר הרומש | **אם** בני אדם חטאו העוף
 והבהמה והחיה מה חטאו אלא אי להן לרשעים ואי | להן הדבוקין בהן וכשנותרצה
 האים לעולמו [ונזכר] לנה נזכר אף לחיה ולבהמה | עמו ויזכר אלהים את נח ומה
 נח זכה החיה והבהמה מה זכו אלא אשריהן הצדיקים | ואשריהם דיבוקיהן אמ' שלמה
 הולך את חכמים יתכם¹ וג' שכל מי שנדבק לצדיק | אינו ניזוק תדע לך בגדיהן של
 חנניה וחביריו לא נשרפו כשירדו לתוך כבשן האש | שני וסרבליהון לא שני² ולמה
 שהיו דבוקין לצדיקים אמ' האים ליש' מה הלבושין | על שהיו דבוקין לצדיקים ירדו
 לאש ולא ניזוקו אתם שאתם דבוקין לצדיקו של עולם³ |

שְׁהוֹא

¹) Prov. 13 : 20.

²) Dan. 3 : 27.

³) The nearest parallel (except in the beginning) is Yalkut Shimoni to Prov. § 950.
 Cf. also the same Yalkut to Torah, § 824, and Jeremiah, § 292. See also Tanchuma
 Buber, I : 8 a, seq., and Grunhut Lekutim, VI : 14 b.

Bibliography of Rev. Kaufmann Kohler, Ph. D. 1867—1913.

By

Adolph S. Oko, Librarian, Cincinnati.

The following list contains a collection of titles of the writings of Dr. Kohler. The list is pretty nearly complete, but does not lay claim to absolute exhaustiveness. Some titles have doubtless escaped the eye of the compiler. It is a difficult task to make a complete bibliography of the writings of a scholar of such varied learning and as prolific a writer as Dr. Kohler. Most of the material has been obtained in the Library of the Hebrew Union College, of which the compiler is librarian. The arrangement is a chronological one and the titles of each year are enumerated in alphabetical order, irrespective as to whether they are independent works, contributions to the works of others or articles in periodicals. Exception was made in the list of the series of Sunday lectures, published 1887—1888, where each title is given in order of its appearance. The articles contributed to the Jewish Encyclopedia, 1901—1906, are given separately in Appendix A; and Editorial Work, in Appendix B. Sometimes no exact data could be given. Neither was it possible to retain uniformity throughout the list in giving v., no., or p.; one or the other had to be omitted when the respective work or journal was not accessible to the compiler. Remarks by the compiler pertaining to the subject are placed within square brackets [], except when given below the title in the form of a note. The abbreviations used are those which are employed more or less generally.

This survey of the writings of Dr. Kohler will indicate his manifold intellectual interests, the various fields his studies have covered, and show how active his pen was ever since his student days. I submit this contribution to a Memorial Volume, first and foremost, as a testimonial of a personal affection for the man with the warm and valiant heart, and with the sincere hope that his years of fruitful work and untiring energy may be many and happy.

1867.

1. Der Segen Jacob's; mit besonderer Berücksichtigung der alten Versionen und des Midrasch, kritisch-historisch untersucht und erklärt. Ein Beitrag zur Geschichte des hebräischen Altertums wie zur Geschichte der Exegese. Berlin: J. Benzian, 1867. VII, 89 p. 8°.

1868.

2. Aus Briefen. [Pertaining to the word שלח in Job; to an article entitled „Die Semitentafel“, and to an article entitled “Zur Geschichte d. Massorah”.] (In: Geiger, Jüd. Zeitschr. Jhrg. 6, p. 70—73.)
3. Aus Briefen. [Regarding J. Fürst's “Geschichte d. bibl. Litteratur”.] (In: Geiger, Jüd. Zeitschr. Jhrg. 6, p. 232—233.)
4. Aus Briefen. [Relating to a review of H. Graetz's “Frank und die Frankisten”.] (In: Geiger, Jüd. Zeitschr. Jhrg. 6, p. 291—292.)
5. Beiträge zur Grammatik der hebräischen Sprache. 1. לָּ (In: Geiger, Jüd. Zeitschr. Jhrg. 6, p. 21—23.)
6. — [2.] Zum Worte אָבִי. (In Geiger, Jüd. Zeitschr. Jhrg. 6, p. 136—141.)
7. Die Bibel und die Todesstrafe. Eine Zeitfrage vom kritisch-historischen Standpunkte aus betrachtet. Leipzig: F. W. Pardubitz, [1868]. VII, (1) 10—47 (1) p. 12°.

1869.

8. Alte Weine in neuen Flaschen. Ein Midrasch zum 92. Psalm. (In: Jewish Times, v. 1, no. 37.)
9. Die Eigenschaften eines gottgerufenen Führers der Gemeinde Israels. Antrittsrede, gehalten vor der Gemeinde Beth-El in Detroit. (In: Jewish Times, v. 1, no. 28—31.)
10. Das Judenthum und seine Reformfähigkeit. Ein moderner Feststrauch zur Gesetzgebungsfeier. (In: Jewish Times, v. 1, no. 16—17, 19—20.)
11. Unsere jetzigen Reformbestrebungen. Zur jüdischen Synode in Leipzig. (In: Jewish Times, v. 1, no. 17—18.)
12. Zur semitischen Lexicographie. Bemerkungen zum chaldäischen Wörterbuche von J. Levy. (In: Z. D. M. G. Bd. 23, p. 676—695.)

1870.

13. Aus Briefen. [Relating to a note by D. Chwolson on the Greek and Syriac versions of Chronicles.] (In: Geiger, Jüd. Zeitschr. Jhrg. 8, p. 311—315.)

14. Das Dahinscheiden des Minhag America und die Clevelander Todtenschau. Ein offenes Schreiben an I. M. Wise. (In: Jewish Times, v. 2, no. 22—23.)
15. Die Religion Israels — ein Bund der Völker, ein Licht der Nationen. Predigt. (In: Jewish Times, v. 2, no. 16.)
16. Die Stellung Israels in der Weltgeschichte. Eine Reihe religionsgeschichtlicher Betrachtungen. (In: Jewish Times, v. 1, no. 52; v. 2, no. 1—2, 7—9, 11.)
17. Das Studium der hebräischen Sprache. (In: Jewish Times, v. 1, no. 51.)
18. Das Targum zur Chronik. Eine kritische Abhandlung von M. Rosenberg, als Beitrag zur Geschichte der Exegese neu bearbeitet und mit einer geschichtlichen Einleitung versehen. (In: Geiger, Jüd. Zeitschr. Jhrg. 8, p. 72—80, 135—163, 263—278.)
19. Der Vogel Phönix und Greif oder Cherub. Ein Anhang zur Paradieses-
sage. (In: Jewish Times, v. 2, no. 3.)

1871.

20. Antrittsrede, gehalten in der Sinai-Gemeinde zu Chicago, am 11. November. (In: Jewish Times, v. 3, no. 40—41.)
21. Der Communismus und seine Irrlehren, im Lichte der Religion und der Zeitgeschichte betrachtet. Predigt. (In: Jewish Times, v. 3, no. 17.)
22. Das eherne Schlangenbild. Predigt. (In: Jewish Times, v. 3, no. 5.)
23. Die fortschreitende Kultur und die Religion. Vortrag. (In: Jewish Times, v. 3, no. 42—43.)
24. Das Frauenherz oder das Miriambrunnlein im Lager Israels. Predigt. (In: Jewish Times, v. 2, no. 51.)
25. Für oder wider den persönlichen Gott? Zum Schutz und Trutz. (In: Jewish Times, v. 3, no. 25—26.)
26. For or against the personal God? To defend and defy. [Translation.] (In: Jewish Times, v. 3, no. 27—28.)
27. Die vier Erlösungskelche. Predigt. (In: Jewish Times, v. 3, no. 6.)

1872.

28. Die biblischen Speisegesetze. (In: Jewish Times, v. 4, no. 25—32.)
29. The Messianic idea and its history. Developed in three lectures. (In: Jewish Times, v. 4, no. 10—14, 20—21.)
30. Die Predigt des neunten Ab. (In: Jewish Times, v. 4, no. 27.)

31. Der Sabbath und die Schöpfungslehre. Predigt. (In: Jewish Times, Jhrg. 4, no. 12.)
32. Wesen und Wirkung des Gebets. (In: Jewish Times, v. 4, no. 25 [?].)

1873.

33. Beitrag zur Frage: Ob Gott die Seelen der Todten belebt? (In: Jewish Times, Jhrg. 4, no. 46.)
34. David Strauss' Alter und neuer Glaube. (In: Jewish Times, v. 4, no. 52; v. 5, no. 1.)
35. Die drei Worte Hillel's. Predigt. (In: Jewish Times, v. 5, no. 35.)
36. Glaube ist Licht und Zuversicht, nicht Furcht. Predigt. (In: Jewish Times, v. 5, no. 37.)
37. Nein, nicht die Seele des Todten, der ewig lebende Geist lobe Gott! (In: Jewish Times, Jhrg. 4, no. 50.)
38. Das Wahre, das Schöne und das Gute — das Dreiblatt der göttlichen Adelskrone des Menschen. Predigt. (In: Jewish Times, v. 5, no. 38.)

1874.

39. Dr. Abraham Geiger. Gedächtnisrede. (In: Jewish Times, v. 6, no. 40.)
40. Aufruf zur Gründung einer Geigerstiftung zum Behufe einer allgemeinen Verbreitung der sämtlichen Geiger'schen Schriften. (In: Jewish Times, v. 6, no. 40.)
41. Dreiklang des Posaunenschalles: Gott ist König, Schicksalslenker und Richter. Predigt. (In: Jewish Times, v. 6, no. 31.)
42. E. v. Hartmann's „Selbstzersetzung des Christenthums und die Religion der Zukunft“. (In: Jewish Times, v. 6, no. 43—45.)
Originally published in „Der Westen“; [supplement] Illinois Staatszeitung.
43. Fürst, J.: Pracht-Bibel für Israeliten. Leipzig, 1874. [The translation and notes of the first few “Hefte” is the work of Kohler, done in 1868—69.]
44. „Heilig werdet, denn heilig bin ich, der Ewige, euer Gott!“ Predigt. (In: Jewish Times, v. 6, no. 33.)
45. Hillel, the originator of the Golden Rule. Sermon. (In: Jewish Times, v. 6, no. 42.)
46. Das Himmelsfeuer. Predigt. (In: Jewish Times, v. 6, no. 12.)
47. Israel's Losungswort. Predigt. (In: Jewish Times, v. 6, no. 32.)
48. Ist unser Sonntags-Gottesdienst ein Riß im Judenthume? Predigt. (In: Jewish Times, v. 6, no. 9.)

49. The mission of the Jewish people. Sermon. (In: Jewish Times, v. 6, no. 10.)
50. Myths and miracles. Paper read before the Chicago Literary Society. (In: Jewish Times, v. 6, no. 36.)
51. Das neue Wissen und der alte Glaube. Vortrag zum ersten Sonntags-gottesdienste am 18. Jan., gehalten vor der Sinai-Gemeinde. Chicago: [The Congregation at] C. Rubovits, 1874. 16 p. 8°.
Originally published in Jewish Times, v. 5, no. 50.
52. Nöthige Entgegnung auf eine unnöthige Einsendung des Herrn Rabbiner Machol. (In: Jewish Times, v. 5, no. 47.)
53. The Old Testament and the 109th Psalm. Sermon. (In: Jewish Times, v. 6, no. 18.)
54. Science and religion. Sermon. (In: Jewish Times, v. 5, no. 52.)
55. Universality of the Holy Spirit. (In: Jewish Times, v. 6, no. 30.)
56. Wissenschaftliche Notiz über Feuerbestattung. (In: Jewish Times, v. 6, no. 12.)

1875.

57. American Judaism and its wants. Discourse. (In: Jewish Times, v. 7, no. 11.)
58. Assyrian discoveries. Lecture. (In: Jewish Times, v. 7, no. 5.)
59. Auf der Höhe — da wird Gott geschaut. Predigt. (In: Jewish Times, v. 7, no. 36.)
60. Der Beruf des Weibes. Vortrag. (In: Jewish Times, v. 7, no. 12.)
61. The Bible. Should it be read in the public schools? Lecture. (In: Jewish Times, v. 7, no. 39.)
62. Das Christenthum, seine Entstehung und Ausbreitung, seine Blüte und sein Verfall. (In: Jewish Times, v. 6, no. 51.)
63. Isaac und seine beiden Kinder — ein Bild unserer Zeitverhältnisse. Predigt. (In: Jewish Times, v. 7, no. 38.)
64. Jesus of Nazareth. Sermon. (In: Jewish Times, v. 6, no. 48.)
65. Law of responsibility. Its application to American Judaism. Lecture. (In: Jewish Times, v. 7, no. 13.)
66. Des Purimfestes und der Purimrolle wahrer Character. Vortrag. (In: Jewish Times, v. 7, no. 5.)
67. Weihfest- oder Weihnachtsbescheerungen. (In: Jewish Times, v. 7, no. 41.)

Originally published in Illinois Staatszeitung.

1876.

68. Ehrfurcht vor dem Heiligen. Predigt. (In: Jewish Times, v. 8, p. 539—542.)
69. Die Himmelsleiter. Predigt; aus dem Englischen [by the author, entitled "Jacob's ladder"] übers. (In: Jewish Times, v. 8, p. 155—158.)
70. The Lord's champion. Sermon. (In: Jewish Times, v. 8, p. 163—164.)
71. Neues Licht über die altisraelitische Kalenderordnung. (In: Jewish Times, v. 7, no. 50, 52; v. 8, no. 1 [?].)
72. Trauerbräuche und ihre Bedeutung. Eine kulturgeschichtliche Studie. (In: Jewish Times, v. 8, p. 379—381, 395—396, 411—413, 427—430.)

Originally published in „Der Westen“; [supplement] Illinois Staatszeitung; also in Jüd. Freien Presse.

1877.

73. Baruch Spinoza. Sketch of the life and labours of the great philosopher. (In: Jewish Times, v. 9, no. 3.)
74. Der Betrieb des Ackerbaus, des Handwerks und des Handels bei den Juden. Vortrag. (In: Jewish Times, v. 9, no. 8—9.)

Originally published in Illinois Staatszeitung.

75. Das Buch Hiob. Eine Studie. (In: Jewish Times, v. 8, p. 699—701, 715—717, 731—733, 748—749.)
 76. Jewish reader for Sabbath schools. Chicago, 1876 (?)—1877. 8°.
- Only 4 or 5 parts were published. This material was afterwards utilised by the author for the Sabbath Visitor.

1878.

77. About Sarganos. (In: Jewish Messenger, v. 44, no. 17.)
78. Das Buch Jonah in seiner ursprünglichen Form. Eine Studie. (In: Jewish Advance. 1878 [?].)
79. The original form of the Book of Jonah. [Translation of above essay.] (In: Theological Review, v. 16, p. 139).
80. Hebrew miscellanies. I. About the minuscules אורח קטנות in the Massoretic Bible text. II. The word רון. (In: Jewish Messenger, v. 44, no. 20.)
81. Lessing's Fabel von den drei Ringen. (In: Jewish Advance. 1878 [?].)
82. Das Hohe Lied übersetzt und kritisch neubearbeitet. New York: B. Westermann & Co., 1878. 27 p. 8°.
83. I am a Jew. Sermon. (In: Jewish Messenger, v. 44, no. 17.)

84. Dr. Kohler and Prof. Adler. [Letters by Dr. Kohler regarding an invitation extended to F. Adler to lecture before the Sinai Literary Association.] (In: Reformer and Jewish Times, v. 10, no. 5.)
Reprinted from the Chicago Daily Tribune.
85. Dr. Kohler's Entgegnung [to F. Adler's Lecture entitled "The new religion; or, The advance of liberalism in the United States".] (In: Reformer and Jewish Times, v. 10, no. 6.)
86. Manasse und Ephraim; oder, Die beiden Culturströmungen der modernen Zeit. Eine Gast-Predigt gehalten am 22. Juni im Beth-El Temple zu New York. (In: Jewish Advance.)
87. Nichts dazu und Nichts davon; oder, Die drei Grundpfeiler der Religion. Gast-Predigt gehalten am 29ten Juni 1878, vor der Temple Emanu-El Gemeinde in New York. (In: Jewish Advance.)
88. The Old Testament; or, The sacred books of the Jews. An essay. (In: Unity, v. 2, no. 6.)
89. The part taken by Jews in early Spanish literature. (In: Jewish vance.)
90. "Rejoice in the Law." Sermon. (In: Reformer and Jewish Times, v. 10, no. 37.)
91. Religion und Race. Eine abgedrungene Erklärung von Dr. Kohler. [Pertaining to his controversy with B. Felsenthal.] (In: Illinois Staatszeitung, September.)
Reprinted: Jewish Advance.
92. Shylock, the Jew. Shakespeare's anomalous character criticised. (In: Reformer and Jewish Times, v. 10, no. 42—44.)
Reprinted: Jewish Advance, v. 2, no. 27.
93. Shylock der Jude. Vortrag. [Translation.] (In: Jewish Advance. [?] v. 3 [?], no. 1 [?].)
94. The three pillars of religion. Extract from a sermon. (In: Reformer and Jewish Times, v. 10, no. 19.)
95. The Wandering Jew; or, The path of Israel through history. Lecture. New York: Beth-El Congregation, 1878. 16 p. 8°.

1879.

96. The Biblical Mukams; or, מקומות. A study. (In: Hebraica; supplement: Jewish Messenger, v. 1, no. 5.)
97. Children of the living God. Sermon. (In: Reformer and Jewish Times, v. 11, no. 32.)
98. The concluding verses of the Pentateuch, Malachi and Ecclesiastes. (In: Hebraica; supplement: Jewish Messenger, v. 1, no. 7—8.)

99. The construction of the Hebrew dual. (In: *Hebraica*; supplement: *Jewish Messenger*, v. 1, no. 12.)
100. Die Familie — der Grundstein religiöser Erziehung. Eine Gast-Predigt gehalten in Louisville, Ky. (In: *Reformer and Jewish Times*, v. 11, no. 7—8.)
101. Hebrew miscellanies. I. The mob cry hep! hep! II. A curious passage in the Book of Tobit. (In: *Hebraica*; supplement: *Jewish Messenger*, v. 1, no. 2.)
102. Der Hep-Hep Ruf. [Translation.] (In: *Jewish Advance* [?].)
103. The Moors and the Jews in Spain. Lecture. (In: *Jewish Advance*, v. 2, no. 36.)
104. Moses Mendelssohn and modern Judaism. A lecture delivered before the Y. M. H. A. Louisville, 1879. 21 p. 8°.
105. On forty less one stripes. (In: *Hebraica*, supplement: *Jewish Messenger*, February.)
106. Sabbath observance and Sunday lectures. Sermon delivered in Temple Beth-El. New York, 1879.
An extract from this sermon was printed in *American Hebrew*, v. 8, p. 135.
107. Simrock, K.: *Reinecke Fuchs*, Frankf. a. M., 1877. 2. Aufl. — Simrock, K.: *Faust*. Frankf. a. M., 1877. 2. Aufl. [Review of.] (In: „*Der Westen*;" [?] [supplement]: *Illinois Staatszeitung*. March, 1879 [?].)
108. Two ancient Hebrew songs: I. David's Eulogy of Saul and Jonathan. II. Psalm VIII. (In: *Hebraica*; supplement: *Jewish Messenger*, v. 1, no. 4.)
109. Value of the Bible. (In: *Reformer and Jewish Times*, v. 11, no. 13—14.)

1880.

110. Adolph Cremieux, der jüdische Freiheitskämpfer. Ein Sonntagsvortrag. (In: *Zeitgeist*, Jhrg. 1, p. 142—144.)
111. Ausgewählte Predigten und Reden von David Einhorn. Herausgegeben von K. Kohler. New York: E. Steiger & Co., 1880. VIII, 1, l., 399 p. 8°.
112. Bileam; oder, Licht ohne Wahrheit, Wahrheitsdrang ohne Religiosität. Vortrag. (In: *Zeitgeist*, Jhrg. 1, p. 206—207.)
113. Der dreifache Posaunenschall des Neujahrs-Festes. Predigt. (In: *Zeitgeist*, Jhrg. 1, p. 285, 288—289.)
114. Der Friedensbund. Aus einer Predigt. (In: *Zeitgeist*, Jhrg. 1, p. 320.)

115. Geiger, Holdheim und Einhorn, die drei Pioniere des Reform-Judenthums. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 173—175, 190—191.)
116. Grab- und Gedenkrede für Rabbiner Dr. David Einhorn. (In: Zeitgeist, Jhrg. 1, p. 9, 12—13.)
117. Jeremias; oder, Die Wiederauferstehung einer Nation. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 74—76.)
118. The Jewish nationality. Sermon. (In: American Hebrew, v. 2, p. 147—148.)
119. Maimonides; or, The Jews as men of science. Lecture. (In: American Hebrew, v. 2, p. 52—53.)
120. Moses; oder, Die Offenbarung. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 26—27.)
121. Moses Mendelssohn; or, The dawn of the new era. Lecture. (In: American Hebrew, v. 2, p. 100—101.)
122. Der Nasiräer oder Gottgeweihte. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 122—123.)
123. Natürliche Religion. Predigt. (In: Zeitgeist, Jhrg. 1, p. 398—399.)
124. Noah; oder, Die Verschiedenheit und Einheit des Menschengeschlechts. Sonntagsvortrag. (In: Zeitgeist, Jhrg. 1, p. 42—43.)
125. Noah; or, The diversity and unity of the human race. [Translation.] (In: Jewish Messenger.)
126. Philo; oder, Judenthum und griechische Philosophie. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 90—92.)
127. Der Priestersegen. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 239—241.)
128. Die Prinzipien und Ziele des Reform-Judenthums. Antrittsrede, gehalten am 6. September 1879 vor der Beth-El-Gemeinde in New York. (In: Zeitgeist, Jhrg. 1, p. 58—60.)
129. Rab und Samuel in Babylon; oder, Der Jude und der Bürger. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 106—110.)
130. Rede bei der Enthüllung des Grabdenkmals David Einhorn's. (In: Zeitgeist, Jhrg. 1, p. 378—379.)
131. Religion's place in modern civilisation. The first in the series of Sunday lectures of the winter season, 1880—1881. Delivered October the 31st, at the Temple Beth-El. New York, 1880. 16 p. 12°.
132. Die Sünde Moses'; eine Lehre für Erzieher und Volkslehrer. Vortrag. (In: Zeitgeist, Jhrg. 1, p. 160—161.)
133. The surgeon's knife [Letter to editor of Jewish Advance, in reply to an article under same title]. (In: Jewish Advance.)
134. Über Mischehen. Ein Gutachten. (In: Die Deborah, Bd. 34, no. 22.)

135. Zur Frage der Eref Raf. [Relating to the inter-marriage question.] An die Redaction des Westen. (In: Der Westen; [supplement]: Illinois Staatszeitung, September.)

1881.

136. Arise and light; or, Judaism and the Jewish pulpit. Sermon. (In: American (The) Jewish pulpit. Cincinnati, 1881. 8°. p. (1)—10.)
137. Atheismus und Pessimismus, die Modekrankheiten unserer Zeit. Vortrag. (In: Zeitgeist, Jhrg. 2, p. 46—48.)
138. Chronological table of Jewish history. New York, 1881. 16 p. 8°.
139. Deutschland und die Juden. Der jüdische Cosmopolitismus. Zwei Abhandlungen. Milwaukee, Wis., 1881. 15 (1) p. 8°.
- Reprinted: Zeitgeist, v. 2.
143. Die Dunkelmänner und die Zukunft des Judenthums. Vortrag. (In: Zeitgeist, Jhrg. 2, p. 132—133.)
141. Freundschaft und Genossenschaft unter Menschen und unter den Religionen. (In: Zeitgeist, Jhrg. 2, p. 418—419.)
142. Geschichtlicher Religionsunterricht. (In: Zeitgeist, Jhrg. 2, p. 144—145.)
143. Immortality. Lecture. (In: American Hebrew, v. 6, p. 124.)
144. Kunst, besonders Musik, und Religion. Sonntagsvortrag. (In: Zeitgeist, Jhrg. 2, p. 179—181.)
145. Ein lebendiger Glaube muß die alte und neue Zeit vereinen. (In: Zeitgeist, Jhrg. 1, p. 274—275.)
146. Die Messiasmission des Judenthums. Predigt. (In: Zeitgeist, Jhrg. 2, p. 388—389.)
147. Modern Judaism. (In: Jewish Advance, v. 6, no. 143.)
148. Offenbarung. Sonntagsvortrag. (In: Zeitgeist, Jhrg. 2, p. 80—82.)
149. Old and modern Judaism. (In: Hebrew Review, v. 1, p. 97—116.)
150. — A word to my critics. [In reply to a criticism on his essay "Old and modern Judaism".] (In: Jewish Messenger, v. 49, no. 8.)
151. Progressive and loyal Judaism. Abstract of a sermon as reported in the New York Herald. (In: American Hebrew, v. 8, p. 134.)
152. Die Religion des Lebens. (In: Zeitgeist, Jhrg. 2, p. 162—163.)
153. Der Sozialismus. Vortrag. (In: Zeitgeist, Jhrg. 2, p. 7—9.)
154. Unser wechselnder Platz in der Menschenwelt. Rede. (In: Zeitgeist, Jhrg. 2, p. 211—212.)

1882.

155. Das Alter. Rede. (In: Zeitgeist, Jhrg. 3, p. 362—363.)

156. Auch ein Wort über das Wörtchen **אני**. (In: Zeitgeist, Jhrg. 3, p. 29.)
157. Die Blüten im Lebensgarten der Menschheit. (In: Zeitgeist, Jhrg. 3, p. 42—43.)
158. Buddhism; or, A religion without God. (In: Jewish Advance [?]; or: Jewish Tribune [?] Feb. [?].)
159. Covered heads. [Symposium.] (In: Jewish Messenger, p. 75—76.)
160. Darwin und das Judentum. Rede. (In: Zeitgeist, Jhrg. 3, p. 154 bis 156.)
161. Gott im brennenden Dornbusch. Rede. (In: Zeitgeist, Jhrg. 3, p. 219—220.)
162. Grätz, H.: Die Psalmen. [Review of.] (In: Zeitgeist, Jhrg. 3, 1882, p. 27—28, 43—44, 59—60, 75—76, 92.)
163. Israel — Gottes Weinberg. Rede. (In: Zeitgeist, Jhrg. 3, p. 394—395.)
164. Israel's Charakterzüge. (In: Zeitgeist, Jhrg. 3, p. 12—13, 26.)
165. Joseph's bewährte Treue. Ein Bild des modernen, des amerikanischen Judentums. Gast-Predigt im Tempel Emanu-El, Juni. (In: Zeitgeist, Jhrg. 3, p. 330—331.)
166. Die jüdische Wissenschaft und das jüdische Leben. Ein Schreiben an einen jungen Theologen in Deutschland. (In: Zeitgeist, Jhrg. 3, p. 10—12.)
167. Lebensfrische, nicht Säure! Nicht Sauerteig, sondern Salz. Rede. (In: Zeitgeist, Jhrg. 3, p. 316—317.)
168. Der Lebenstraum und der Gottesgeist. Rede. (In: Zeitgeist, Jhrg. 3, p. 378—379.)
169. Moses und Ahron; oder, Der Gottesmann und der Mann des Volkes. Rede. (In: Zeitgeist, Jhrg. 3, p. 188—189.)
170. Moses' strahlendes Antlitz. Rede. (In: Zeitgeist, Jhrg. 3, p. 204 bis 205.)
171. Die Nach- Mendelssohn'sche Zeit. [Vortrag.] (In: Zeitgeist, Jhrg. 3, p. 58—59, 74—75.)
172. Die Sage von Sodom und Gomorrah. Rede. (In: Zeitgeist, Jhrg. 3, p. 346—347.)
173. Sei aufrecht! Rede. (In: Zeitgeist, Jhrg. 3, p. 235—236.)
174. Über Erziehung und Religion. (In: Zeitgeist, Jhrg. 3, p. 89, 105, 121.)
175. Was tut uns not? (In: Zeitgeist, Jhrg. 3, p. 24.)

1883.

176. Judaism and its living fountain of knowledge. Sermon. (In: American Israelite, v. 30, no. 2.)
177. Moses Montefiore. Lecture. (In: American Hebrew, v. 16, p. 149—150.)
178. Die Semitenfrage. Vortrag. (In: Populär-wissenschaftliche Monatsblätter, Jhrg. 3, p. 97—103.)
179. Something about the proselyte question — II. Something about the proselyte and inter-marriage question. [Pertaining to B. Felsenthal's „Zur Proselytenfrage im Judenthum“. Chicago, 1878.] (In Jewish Advance [?].)

1884.

180. Biblical literature. Lecture. (In: Sabbath Visitor, v. 13, p. 160.)
181. Chapters on folk-lore and popular customs. (In: Sabbath Visitor, v. 13; 1884, p. 81—82, 97—98, 112—113, 129, 147, 150, 176, 193—194, 209—210, 257—258, 305—306.) [See also no. 198 a.]
182. Chronology of events of interest to Jews. (In: American Jews' Annual, v. 1, p. 56—63.)
183. Contributions to Hebrew and Assyrian philology. (In: Hebraica, v. 1, p. 31—33.)
184. Historical lessons for the senior class. (In: Sabbath Visitor, v. 13, p. 114—115, 130—131, 162—164, 211—212, 273—275, —?)
185. Honour thy father and thy mother. (In: Sabbath Visitor, v. 13, p. 138—139.)
186. The Jew's mission. Sermon delivered, January. (In: Jewish Record. — [Philadelphia.])
187. Lasker. Sermon delivered, January. (In: Jewish Messenger, v. 55, no. 4.)
188. Lessons in Biblical history. (In: Sabbath Visitor, v. 13, p. 82—83, 98—99, 115—116, 131—132, 146, 161—162, 194—195, 227—228, 241—242, 258—259, 272—273, 307—308.) [See also no. 199 a.]
189. Memory and hope. (In: Sabbath Visitor, v. 13, p. 96.)
190. Montefiore, Cremieux and Riesser. Lecture. (In: Sabbath Visitor, v. 13, p. 268—269, 282, 304—?)
191. Moses Montefiore; [address, in German, delivered at the celebration of the Montefiore centenary.] (In: American Hebrew, v. 20, p. 181—182.)
192. New Year's thoughts. (In: Sabbath Visitor, v. 13, p. 80.)
193. Oration [delivered at the dedication of the New York Hebrew

Orphan Asylum, Oct. 24, 1884.] (In: *American Hebrew*, v. 20, p. 166—167.)

Reprinted: *Sabbath Visitor*, v. 13.

194. Our programme. (In: *Sabbath Visitor*, v. 13, p. 73—74.)
195. Sabbath-school lessons. (In: *Sabbath Visitor*, v. 13, p. 82, 98, 116—117, 132, 146—147, 175, 210—211, 242—243, 259—260, 323—324.) [See also no. 206a.]
196. "To-morrow and the Lord will show who is his." Sermon. (In: *Sabbath Visitor*, v. 13, p. 144—145.)
197. A wreath of flowers on the grave of Dr. Adolph Huebsch. (In: *Sabbath Visitor*, v. 13, p. 217—218.)

1885.

198. Backward or forward. A series of discourses on Reform Judaism. New York, 1885. 40 p. 8^o.
Contents: 1. Backwards or forwards? 2. Form or spirit? 3. Piety or a living religion? 4. Is reform destructive or constructive? 5. Palestinian or American Judaism? — No. 1 and 3 first printed in *American Hebrew*, v. 23.
- 198a. Chapters on folk-lore and popular customs. [Continued.] (In: *Sabbath Visitor*, v. 14, p. 53—54, 77—78, 91—92, 103—104, 113—114, 127—128.)
199. Emendations of the Hebrew text of Isaiah. (In: *Hebraica*, v. 2, p. 39—48.)
Reads: ("To be continued"); but no more published.
- 199a. Lessons in Biblical history. [Continued.] (In: *Sabbath Visitor*, v. 14, p. 7—9, 21—23, 22—24, 56—57, 68—70, 80—82, 94—95, 105—106, 117—118, 128—129, 151—152, 162—163, 185—186, 200 bis 201, 212—213, 221—222, 234—235, 247—248.)
200. Lessons in Jewish ethics. (In: *Sabbath Visitor*, v. 14, p. 31—32, 43, 78—79, 115, 162—163.)
201. Mrs. Louis and her work. (In: *Sabbath Visitor*, v. 14, p. 3.)
202. Post-Biblical history in biographies. (In: *Sabbath Visitor*, v. 14, p. 20—21, 32, 54—56, 67—68, 79—80, 93—94, 104—105, 115—117, 129—130, 163—164, 175—176, 186—187, 199—200, 211—212, 233—234, 246—247.)
203. Progression or retrogression. (In: *American Hebrew*, v. 23, p. 84.)
204. Proposition and plan for concerted action in Sabbath-school reform. (In: *Sabbath Visitor*, v. 14, p. 17—18, 29—30, 41—43.)

- 205. Purim lecture. (In: Sabbath Visitor, v. 14, p. 125—127.)
- 206. Questions in Biblical history. — For review. (In: Sabbath Visitor, v. 14, p. 34—35, 46, 176, 187—?)
- 206 a. Sabbath-school lessons. [Continued.] (In: Sabbath Visitor, v. 14, p. 9—10, 152—153, 249.)
- 207. A Sabbath-school library. (In: Sabbath Visitor, v. 14, p. 16—17.)
Young Israel. A special field for labor for Jewish young men and women. Essay. (In: Sabbath Visitor, v. 14, p. 205—209.)

1886.

- 208. Address at the 25th anniversary of Chicago Sinai Congregation. (In: Jewish Reformer, v. 1, no. 21.)
- 209. Alte und moderne Wohlthätigkeit. Predigt. (In: Jewish Reformer, v. 1, no. 1.)
- 210. Die Arbeiterfrage. (In: Jewish Reformer, v. 1, no. 8.)
- 211. Authentic report of the proceedings of the Rabbinical Conference, held at Pittsburg, November 16—18, 1885. (In: Jewish Reformer, v. 1, no. 1—6.)
- 212. Der Einfluß des Weibes. Rede. (In: Jewish Reformer, v. 1, no. 14.)
- 213. Der Eliasbecher; oder, Der Religionskampf führt zum höheren Frieden. (In: Jewish Reformer, v. 1, no. 17.)
- 214. Die Frau im Bild der Volkssitte und des Ehrechten. (In: Jewish Reformer, v. 1, no. 10, 12.)
- 215. Zur Geschichte des Schlemiels. (In: Jewish Reformer, v. 1, no. 1.)
- 216. Gladstone's romanticism and Huxley's scientific idealism. (In: Jewish Reformer, v. 1, no. 4.)
- 217. Hochzeitsbräuche. (In: Jewish Reformer, v. 1, no. 15.)
- 218. Is the Golden Rule of Christian or Jewish origin? (In: Jewish Reformer, v. 1, no. 12.)
- 219. Is the Talmud the life-regulator of American orthodoxy? (In: Jewish Reformer, v. 1, no. 6.)
- 220. Israel's festival of liberty. (In: Jewish Reformer, no. 16.)
- 221. Jesus and Christianity. (In: Jewish Reformer, v. 1, no. 18.)
- 222. The Jew's share in Occidental civilization. (In: Jewish Reformer, v. 1, no. 15.)
- 223. The Jews and the silk industry. (In: Jewish Reformer, v. 1, no. 4.)
- 224. Die Juden und das Schachspiel. (In: Jewish Reformer, v. 1, no. 3.)
- 225. Die jüdische Presse Deutschlands und die Pittsburger Rabbiner-Conferenz. (In: Jewish Reformer, v. 1, no. 5.)

226. Kaddisch-Gebet, Jahrzeit und Seelen-Gedächtnißfeier. (In: Jewish Reformer, v. 1, no. 11.)
227. Kohut, A.: Moses Mendelssohn und seine Familie. Eine Festschrift zum 100 jährigen Todestage M. Mendelssohns. [Review of.] (In: Jewish Reformer, v. 1, no. 4.)
228. Leopold Zunz. Gedenkrede. (In: Jewish Reformer, v. 1, no. 13.)
229. Leopold Zunz. [Editorial; in English.] (In: Jewish Reformer, v. 1, no. 13.)
230. Biographical sketch of Leopold Zunz. (In: Jewish Reformer, v. 1, no. 13.)
231. The mistakes of the prohibitionists. (In: Jewish Reformer, v. 1, no. 9.)
232. Moses Mendelssohn. Rede. (In: Jewish Reformer, v. 1, no. 3.)
233. „O Herr, öffne ihre Augen, daß sie sehen.“ (In: Jewish Reformer, v. 1, no. 18.)
234. Pasteur and the Talmud. (In: Jewish Reformer, v. 1, no. 1.)
235. Ragozin, Z. A.: The story of Chaldea. New York, 1886. [Review of.] (In: Jewish Reformer, v. 1, no. 13.)
236. Das Reform-Judentum und die Würdigung des Weibes. (In: Jewish Reformer, v. 1, no. 6.)
237. Religion's infancy and stage of maturity. (In: Jewish Reformer, v. 1, no. 18.)
238. Religious instruction in the public schools. A symposium. (In: Jewish Reformer, v. 1, no. 9.)
239. Report on the Sabbath School Union. [Submitted to the Jewish Minister's Association.] (In: Jewish Reformer, v. 1, no. 19.)
240. The Sabbath of the Decalogue. (In: Jewish Reformer, v. 1, no. 5.)
241. The Saturday half-holiday. (In: Jewish Reformer, v. 1, no. 10.)
242. Schindler, S.: Messianic expectations and modern Judaism. Boston, 1886. [Review of.] (In: Jewish Reformer, v. 1, no. 16.)
243. The sign of the covenant. (In: Jewish Reformer, v. 1, no. 2.)
244. Strauss, O. S.: The origin of republicam forn of government in the United States of America. [Review of.] (In: Jewish Reformer, v. 1, no. 4.)
245. Symbol oder Wesen? Buchstabe oder Geist? Predigt. (In: Jewish Reformer, v. 1, no. 7.)
246. Teach your son a trade. (In: Jewish Reformer, v. 1, no. 3.)
247. The three sentinels of liberty. [Sermon.] (In: Jewish Reformer, v. 1, no. 17.)

- 248. The training of our ministers. (In: Jewish Reformer, v. 1, no. 22.)
- 249. Trumbull, C.: The blood covenant. [Review of.] (In: Jewish Reformer, v. 1, no. 7—8.)
- 250. Unitarianism and Reform Judaism. (In: American Hebrew, v. 27, p. 131—133.)
- 251. Vorbedingungen und Mißgriffe in der häuslichen Erziehung. (In: Jewish Reformer, v. 1, no. 16.)
- 252. Wandernde Anekdoten, Sagen und Sitten. (In: Jewish Reformer, v. 1, no. 2, 7.)
- 253. What constitutes Judaism? (In: Jewish Reformer, v. 1, no. 14.)
- 254. Wir brauchen Verinnerlichung und Vertiefung der Religion. (In: Jewish Reformer, v. 1, no. 9.)
- 255. Wissenschaft und Judenthum. (In: Jewish Reformer, v. 1, no. 19.)
- 256. "With our banner unfurled." (In: Jewish Reformer. v. 1, no. 1.)

1887.

- 257. The ethical basis of Judaism. New York, 1887. 18 p. 8°.

Reprinted: American Hebrew, v. 29.
- 258. Is the Moabite stone a forgery? (In: American Hebrew, v. 30, p. 195—196.)
- 259. The Jews and commerce. (In: Menorah, v. 3, no. 4—6.)

The several articles, originally published in Jewish Times and elsewhere, were thoroughly revised and enlarged.
- 260. Judaism defended against some of its friends. From a discourse. (In: American Hebrew, March 25.)
- 261. "Loyal and free." Addresses and lectures by M. Lazarus. [Review of: Treu und frei.] (In: American Hebrew, v. 32, p. 84—85.)
- 262. Manual of religious instruction. New York, 1887. 35 p. 8°.
- 263. Under which flag? [Pertaining to an article by Dr. Solis Cohen entitled "A logical basis for reform".] (In: American Hebrew. Aug. 19 and 26.)
- 264. "The Yoke of the Thora". [A novel by S. Luska.] (In: Menorah. v. 3, p. 140—148.)

**Series of Sunday lectures published by the Temple
Beth-El, New York. 1887—1888:**

- 265. The propelling power of humanity. Lecture delivered Oct. 16. New York, 1887. 8 p. 8°. (Series no. 1.)
- 266. What is Judaism? Lecture delivered Oct. 23. New York, 1887. 8 p. 8°. (Series no. 2.)

Reprinted: Menorah, v. 3.

267. Commerce and civilisation. Lecture delivered Oct. 30. New York, 1887. 8 p. 8°. (Series no. 3.)
268. Crime and its Punishment. Lecture delivered Nov. 6. New York, 1887. 8 p. 8°. (Series no. 4.)
269. The Bible in the light of modern research. Lecture delivered Nov. 13. New York, 1887. 8 p. 8°. (Series no. 5.)
270. Prejudice. Lecture delivered Nov. 20. New York, 1887. 8 p. 8°. (Series no. 6.)
271. Prohibition or self-control? Lecture delivered Nov. 27. New York, 1887. 8 p. 8°. (Series no. 7.)
272. Evolution and morality. Lecture delivered Dec. 4. New York, 8 p. 8°. (Series no. 8.)
273. The elements of heroism. Lecture delivered Dec. 18. New York, 1887. 8 p. 8°. (Series no. 9.)
274. Charity religious, not sectarian. Lecture delivered Dec. 25. New York, 1887. 8 p. 8°. (Series no. 10.)
275. The old and the new. Lecture delivered Jan. 1. New York, 1888. 8 p. 8°. (Series no. 11.)
276. Are Sunday lectures a treason to Judaism? Lecture delivered Jan. 8 and repeated Jan. 22. New York, 1888. 12 p. (?) 8°. (Series no. 12.)
277. Facts and fallacies of agnosticism. [Title changed to: "The bright and dark side of life."] Lecture delivered Feb. 5. New York, 1888. 8 p. 8°. (Series no. 13.)
278. The fallacies of agnosticism. Lecture delivered Feb. 12. New York, 1888. 8 p. 8°. (Series no. 14.)
279. Priest, prophet and preacher. Lecture delivered Feb. 19. New York, 1888. 8 p. 8°. (Series no. 15.)
280. Esther; or, The Jewish woman. Lecture delivered Feb. 26. New York, 1888. 8 p. 8°. (Series no. 16.)
281. Jewish commerce and industry. Lecture delivered March 4. New York, 1888. 8 p. 8°. (Series no. 17.)
282. The Jews in literature, commerce and art. Lecture delivered March 11. New York, 1888. 8 p. 8°. (Series no. 18.)
283. Jewish wit and humor. Lecture delivered March 18. New York, 1888. 8 p. 8°. (Series no. 19.)
284. Immortality. Lecture delivered March 25. New York, 1888. 8 p. 8°. (Series no. 20.)
285. The Wandering Jew. Lecture delivered April 1. New York, 1888. 8 p. 8°. (Series no. 21.)

286. Jewish superstition. Lecture delivered Apr. 8. New York, 1888. 8 p. 8°. (Series no. 22.)
287. Jew and Gentile. Lecture delivered Apr. 15. New York, 1888. 8 p. 8°. (Series no. 23.)
288. Principles of ethics. Lecture delivered Apr. 22. New York, 1888. 8 p. 8°. (Series no. 24.)
289. Our American needs and opportunities. Lecture delivered Apr. 29. New York, 1888. 8 p. 8°. (Series no. 25.)
290. The need of a living force. Lecture delivered Oct. 14. New York, 1888. 8 p. 8°. (Series no. 26.)
291. Robert Elsmere: [a novel by Mrs. Humphrey Ward] or, A setting and a rising faith. Lecture delivered Dec. 16. New York, 1888. 8 p. 8°. (Series no. 27.)
Reprinted: Menorah, v. 6.

1888.

292. An American-Jewish Publication Society. (In: Menorah, v. 5, p. 56—62.)
293. The basis of Jewish ethics. (In: Menorah, v. 5, p. 331—334.)
294. The gates of faith and of hope. Lecture. (In: American Hebrew, v. 33, p. 180—181.)
295. Jastrow, M.: Talmudic dictionary. London, 1886—1888. [Review of.] (In: Hebraica, v. 5, p. 1—6.)
296. Some plain and telling words regarding Rabbi J. Krauskopf. [Pertaining to his article entitled "Half a century of Judaism", published in American Jew's Annual for 5648.] (In: American Hebrew, v. 33, p. 131—132, 147—148, 184—185.)
297. The three elements of American Judaism. (In: Menorah, v. 5, p. 314—322.)

1889.

298. The American Jewish Publication Society and Lady Magnus' "Outlines of Jewish History". (In: American Hebrew, v. 40, p. 168—169.)
299. Die chaldäischen Namen Daniel's und seiner drei Freunde. (In: Zeitschr. f. Assyriologie, Bd. 1, p. 46.)
300. Chanuka, a festival of light. [Sermon.] (In: American Hebrew, v. 41, p. 183—184.)
301. How Jewish history ought, and how it ought not to be written. A rejoinder. (In: American Hebrew, v. 41, p. 71.)

302. The messianic mission of the Jew. (In: American Hebrew, v. 37, p. 211—212.)
303. Sage und Sang im Spiegel jüdischen Lebens. (In: Zeitschrift für die Geschichte der Juden in Deutschland, Bd. 3, p. 234—242.)
304. Zur Erinnerung an Samuel Hirsch. Gedächtnisrede. (In: Populärwissenschaftliche Monatsblätter, Jhrg. 9, p. 265—268.)

1890.

305. The Abrahamic rite and the mistakes of modern orthodoxy. [Pertaining to the question of "Milath Guerim", raised by H. Berkowitz in an open letter to the C. C. A. R.] (In: American Hebrew, v. 41, p. 163.)

Reprinted: C. C. A. R. — Year Book. [v. 2.] p. 115—117.

306. Baron de Hirsch and our Russian brethren. A lecture delivered at the Temple Beth-El, New York. New York: Stettiner, Lambert & Co., 1890. 16 p. nar. 12°.

Reprinted: Jewish Messenger, v. 67.

307. Chanuka and Christmas. (In: Menorah, v. 9, p. 305—314.)
308. Christianity vs. Judaism. A rejoinder to the Rev. Dr. R. Heber Newton. Lecture. New York: Stettiner, Lambert & Co., [1890]. 8 p. 8°.
309. Spiegler, J. S.: Geschichte der Philosophie des Judenthums. Leipzig, 1890. [Review of.] (In: Jewish Messenger, Sept. 12.)
310. What is the future of Judaism? Of Christianity? What is the use of conversion? [Symposium.] (In: Peculiar people, April.)

1891.

311. Der Antheil der Araber, Juden und Deutschen an der Entdeckung und culturellen Entwicklung Amerikas. Vortrag, gehalten vor der Deutschen Historischen Gesellschaft von New York. (In: Neuzeit, Jhrg. 31, p. 245, 277—278, 284—285, 293.)
312. The share of the Moors, Jews and Germans in the discovery and civilising development of America. From a lecture delivered before the German Historical Society of New York. [Translation.] (In: Menorah, v. 2, p. 16—29.)
313. Ein Blatt zum Ehrenkranze für Dr. Jellineks siebenzigjährigen Geburtstag. (In: Neuzeit, Jhrg. 31, p. 235—236.)
314. The religious status of the Jews. [Reply to an article by H. L. Strack, reprinted in "The Independent" from "Nathaniel" entitled "The

- diaspora and the religious status of the Jews'.] (In: *The Independent* [N. Y.], July 16.)
315. The Sabbath day of the Jew. (In: *Menorah*, v. 2, p. 151—160.)
316. — "Rosks Ahead!" A rejoinder [to criticisms made by E. Cohn upon Dr. Kohler's article entitled "The Sabbath Day of the Jew".] (In: *Menorah*, v. 2, p. 284—293.)
Reprinted: *Reform Advocate*, v. 2.
317. Sermon delivered at the dedication of [the new building of the] Temple Beth-El, New York, September 18. (In: *American Hebrew*, v. 48, p. 126—128.)
318. Toy, C. H.: *Judaism and Christianity*. Boston. [Review of.] (In: *Jewish Messenger*, v. 69, no. 7, 10—11.)
319. *Das Volk, und Die Religion der Treue, Predigten; und „Gott zieht mit uns“, Predigt zum Abschied vom alten Gotteshause*. New York: Stettiner, Lambert & Co., 1891. 24 p. 8°.
Contents: 1. Sulamit; oder, „Das Volk der Treue“, 2. Gott angetraut für immer! 3. „Gott zieht mit uns“. — First sermon originally published in *Neuzeit*, Jhrg. 31.
320. "God walks with us" (Tr. from the German [being no. 3 of the above].) (In: *American Hebrew*, v. 2, p. 187—188.)
321. *Wie alt ist die Pesach-Hagada? Eine Studie zum "Buch der Weisheit"*. (In: *Allg. Zeit. d. Judenth.*, Jhrg. 55, p. 321—322.)

1892.

322. *The cradle of Christianity*. Chapters from a forthcoming work. (In: *Menorah (The)*, v. 12, p. (265)—281, 363—375; v. 13, p. 17—31.)
Contents: I. The historical relations of the early Christians to the Essenes. II. Christian and Essene institutions. III. The Jewish and the Christian Liturgy and their common Essene origin. The plan was not carried through.
323. *The discovery of America: its influence upon the world's progress, and its especial significance for the Jews*. (In: *Menorah*, v. 13, p. 234—242.)
324. Ernest Renan. [Lecture.] (In: *Jewish Messenger*, v. 72, no. 20.)
325. *Haben wir nicht alle Einen Vater? Zwei Zeitpredigten*. New York: P. Cowen, 1892. 15 p. 8°.
Contents: 1. „Lebt mein Vater noch?“ 2. Der Umfang des jüdischen Gebots der Menschenliebe.

326. *The Kaddish: its origin and significance.* New York: P. Cowen, 1892. 11 p. 8°.

Reprinted: *American Hebrew*, v. 52.

327. *Moses and Jesus. Lecture.* (In: *Menorah*, v. 12, p. 158—168.)

1893.

328. *A Christian voice [Nahida Remy] on the Jewish prayer-book.* (In: *Menorah*, v. 15, p. 6—17.)

329. *Human brotherhood as taught by the religions based on the Bible.* (In: Barrows, J. H.: *The world's Parliament of Religions.* Chicago, 1893. 8°, v. 1, p. 366—373.)

Reprinted: *Judaism at the World's Parliament of Religions.* Cincinnati, 1894.

330. *Is Reform Judaism destructive or constructive.* (In: C. C. A. R.-Year book. [v. 3.] p. 101—114.)

331. *Oration delivered at the memorial services for Rev. Dr. Henry S. Jacobs.* (In: *American Hebrew*, v. 55 [?], p. 45—46.)

332. *The pre-Talmudic Haggada.* [Article I.] (In: *Jewish Quarterly Review*, v. 5, p. 399—419.) [See also no. 356 a.]

333. *Synagogue and church in their mutual relations, particularly in reference to the ethical teachings.* Chicago: Bloch & Newman, [1893]. 23 p. nar. 12°.

Reprinted: *Reform Advocate*, v. 6; also in: *Judaism at the World's Parliament of Religions.* Cincinnati, 1894.

334. *Über die Ursprünge und Grundformen der synagogalen Liturgie. Eine Studie.* (In: *Monatsschrift für Geschichte und Wissenschaft des Judenthums*, Jhrg. 37, p. 441—451, 489—497.)

335. *The Union Prayer Book.* (In: *Jewish Messenger*, v. 73, no. 24.)

336. — *Another word concerning the Union Prayer book.* (In: *Reform advocate*, v. 5, p. 123.)

337. *Words of sorrow and consolation.* Spoken at the obsequies of Jerome N., son of Nathan Straus. (In: *American Hebrew*, v. 52, p. 584—585.)

1894.

338. *Dr. Alexander Kohut. Address.* (In: *Menorah*, v. 17, p. 14 bis 18.)

339. *Berthold Auerbach's and Lasker's Judaism.* (In: *American Hebrew*, v. 55, p. 676—677.)

340. *Did the Napoleonic Sanhedrin allow intermarriage? A correction of an oft-repeated error.* (In: *American Hebrew*, v. 54, p. 683—684.)

341. The Essene brotherhood. A study. (In: *Reform Advocate*, v. 7, p. 15—19.)
342. The ethics of the Talmud. With special reference to anti-Semitic accusations. (In: *American Hebrew*, v. 54, p. 136, 159—162, 342 bis 344, 263—264, 314—317, 459—461, 487—488, 523—525, 551 bis 553, 619—621, 647—649, 759—761.)
343. Der Gott Israels. (In: *Jeschurun*. [Ed. A. Levin.] Jhrg. 3, p. 401—403.)
344. The inadequacy of Christian ethics. (In: *Reform Advocate*, v. 7, p. 69—71.)
345. The Jewish question; or, Neo-Mosaism, Unitarianism and Judaism. Lecture. (In: *American Hebrew*, v. 54, p. 719—721.)
346. Professor Moritz Lazarus. (In: *Menorah*, v. 17, p. (193)—205.)
Reprinted: *American Hebrew*, v. 55, p. 612—616.
347. Im Spiegel der Vergangenheit. Religiöse Rede. (In: *Jeschurun*. [Ed. A. Levin.] Jhrg. 3, p. 257—259.)
348. The spiritual forces of Judaism. (In: *Menorah*, v. 17, p. 73—88.)
Reprinted: *American Hebrew*, v. 55; C. C. A. R.-Year Book. [v. 4.]
349. The threefold atonement. Sermon. (In: *American Hebrew*, v. 55, p. 705—707.)
350. Über die Bedeutung des Reform-Judenthums. (In: *Populärwissenschaftliche Monatsblätter*, Jhrg. 14, p. 103—108.)
351. Was Paul a great religious genius? (In: *American Hebrew*, v. 55, p. 77—79.)

1895.

352. [Address delivered at the funeral of Jacob Ottenheimer.] (In: *American Hebrew*, v. 58, p. 16—17.)
353. Judaism and reform. A reply to Leo N. Levi. (In: *Menorah*, v. 18, p. (36)—48.)
Reprinted: *American Hebrew*, v. 56.
354. — What is historical Judaism? [A reply to H. P. Mendes' criticism of the article "Judaism and Reform".] (In: *American Hebrew*, v. 56, p. 327.)
355. Lazarus, J.: The spirit of Judaism. New York. [Review of.] (In: *Menorah*. v. 18, 1895, p. 321—332.)
Reprinted: *American Hebrew*, v. 58; *Reform Advocate*.
356. Leroy-Beaulieu, A.: Israel among the nations. Tr. by F. Hellmann. New York, 1895. [Review of.] (In: *American Hebrew*, v. 58, p. 129—132.)

- 356a. The pre-Talmudic Haggadah. [Article II.] (In: Jewish Quarterly Review, v. 7, p. 581—606.)
357. Schlange oder Seraph. Predigt. (In: Der Jude. [New York.] Jhrg. 1. no. 5.)
358. Wiener, A.: Die jüdischen Speisegesetze. Breslau, 1895. [Review of.] (In: Allg. Zeit. d. Judent., Jhrg. 59, p. 245—247, 257—259, 267—269.)

1896.

359. Abrahams, I.: Jewish life in the Middle Ages. [Review of.] (In: American Hebrew, v. 59, p. 168—169, 313—315.)
Reprinted: Reform Advocate.
360. [Address delivered at a banquet given to Dr. Emil G. Hirsch by the I. O. B. B. Jan. 22., 1896, at Carnegie Hall, New York.] (In: Menorah, v. 20, p. 94—96.)
361. The glory of religion. (In: C. C. A. R. — Sermons by American Rabbis. Chicago, 1896. 8°. p. 47—54.)
Reprinted: American Hebrew, v. 57.
362. Greenburg: The Hagadah according to the rite of Yemen. London, 1896. [Review of.] (In: Jewish Messenger [?].)
363. The Jews and Charles II. of England. (In: American Hebrew, v. 58, p. 689—690.)
364. The miracles of the Bible. Lecture. (In: Reform Advocate, v. 11, p. 9—12.)
365. Morfill, W. R.: The book of the secrets of Enoch. Oxford, 1896. [Review of.] (In: Independent. [N. Y.] v. 48, p. 354—?)
366. The new Talmud translation by Rodkinson and Wise. (In: Reform Advocate, v. 11, p. 464—465.)
367. — A brief rejoinder to Rodkinson and Wise. (In: Reform Advocate, v. 12, p. 41.)
368. Pleasure and the Sabbath day. (In: American Hebrew, v. 58, p. 665—666.)
369. [Sermon delivered at the installation of Rudolph Grossman as minister of the Temple Rodeph Sholom, N. Y.] (In: American Hebrew, v. 60, p. 512—513.)
370. What do the Old Testament and Judaism stand for. [Lecture.] (In: Jewish Exponent, v. 22, no. 12.)

1897.

371. The dove with the olive branch of peace. (In: American Hebrew, v. 61, p. 709—711.)

372. Folly of the Zionist movement. (In: American Hebrew, v. 61, p. 38—39.)
373. Hillel, the Babylonian. (In: American Hebrew, v. 60, p. 328—330.)
374. Israel and his foe. Sermon. [No place, no date; New York, 1897 (?).] (3)—10 p. 8^o.
Reprinted (?)
375. Jewish ethics and methods of instruction. (In: American Hebrew, v. 61, p. 380—381. 409—410.)
376. The Jewish New Year's day in the light of history. (In: Menorah, v. 23, p. (193)—200.)
Reprinted: American Hebrew, v. 61.
377. The need of a living creed. [Lecture.] (In: American Hebrew, v. 57, p. 623—624.)
378. The Ninth of Ab. [Sermon.] (In: American Hebrew, v. 61, p. 463—464.)
379. The Psalms and their place in the liturgy. Philadelphia, 1897. 1 p. 1, 38 p. 8^o.
Reprinted: Gratz College Publications, no. 1.
380. [Sabato Morais. Tribute to his memory.] (In: American Hebrew, v. 62, p. 67.)
381. The sayings of Jesus. (In: American Hebrew, v. 62, p. 169—170, 225—226.)
382. Stranger or sojourner; or, Where is our home as men? as Jews? Sermon. (In: American Hebrew, v. 61, p. 648—649.)
383. The Testament of Job. An Essene Midrash on the Book of Job; reëdited and translated with introductory and exegetical notes. (In: Semitic studies in memory of A. Kohut. Berlin, 1897. 8^o. p. 264—338.)
384. Trumbull, H. C.: The threshold covenant. New York, 1896. [Review of.] (In: American Journal of Theology, v. 1, p. 798—803.)

1898.

385. Anti-Semitism in the United States. Does it exist? Its causes and nature. What shall be the attitude of the American Jew toward it? [Symposium.] (In: Reform Advocate, v. 15, p. 12.)
386. Bonwetsch, G. N.: Die Apocalypse Abrahams und die vierzig Märtyrer. Leipzig, 1892. [Review of.] (In: American Journal of Theology, v. 2, p. 417—420.)
387. The door of hope. A manual of prayers and devotional readings upon visiting the cemetery. Prepared by the New York Board of

- Jewish Ministers. [The most part done by Kohler.] New York: P. Cowen, 1898. 1 p. L., VI, 2 L., (11)—98 p., 2 L. 24°.
388. [Eulogy on Lazarus Straus]. (In: American Hebrew, v. 62, p. 364.)
389. God's song in the night. [Sermon.] (In: American Hebrew, v. 63, p. 679—681.)
390. God's ultimatum to Spain. (In: American Hebrew, v. 62, p. 770—771.)
391. The Jewish era. (In: American Hebrew, v. 63, p. 565—566.)
392. The Jewish scholar. [Address.] (In: American Hebrew, v. 63, p. 88—89.)
393. A Jewish synod. (In: Jewish Exponent, v. 28, no. 11.)
394. The larger life and the larger vision. Sermon. (In: American Hebrew, v. 63, p. 607—608.)
395. Lazarus M.: Die Ethik des Judenthums. Leipzig. [Review of.] (In: American Hebrew, v. 63, p. 782.)
396. The New Testament in the light of Judaism. Lecture. (In: Jewish Exponent, v. 28, no. 9.)
- Reprinted: Homiletic Review. [N. Y.] v. 37.
397. Dr. Singer's Encyclopedia. [An opinion on the project.] (In: American Hebrew, v. 63, p. 451—452.)
398. Work and rest. Sermon. (In: American Hebrew, v. 64, p. 117—119.)
399. Zangwill at the Judaeans. (In: American Hebrew, v. 63, p. 778—779.)

1899.

400. Address delivered at the installation of Samuel Schulman as [associate] Rabbi of Temple Beth-El. (In: American Hebrew, v. 64, p. 380—381.)
401. Bamberger and Steinthal. (In: Menorah, v. 26, p. 226—228.)
- Reprinted: American Hebrew, v. 64.
402. Geiger, L.: Die Juden und die deutsche Literatur. (Nachträge und Berichtigungen.) [From a letter by K. relating to Shylock and The Wandering Jew.] (In: Zeitschr. f. d. Geschichte d. Juden in Deutschland, v. 3, p. 297—298.)
403. Guide for instruction in Judaism. A manual for schools and homes. Especially adapted for teachers, advanced pupils and for private study. New York: P. Cowen; 1899. VIII, 9—138 p. 16°.
- Reprinted: American Hebrew, v. 62—63. — 7. reprint, 1907.
404. Liberty and loyalty. Sermon. (In: American Hebrew, v. 64, p. 745—747.)

405. Montefiore's Bible for home reading. [Review of.] (In: American Hebrew, v. 65, p. 517—519.)
406. The relation between Jew and non-Jew. Discourse. (In: Menorah, v. 26, p. (349)—355.)
407. Sage und Sang im Spiegel jüdischen Lebens. (In: Zeitschr. f. d. Geschichte d. Juden in Deutschland, Bd. 3, p. 234—242.)
408. [Sermon delivered at the twenty-fifth anniversary of the introduction of Sunday services at Temple Sinai, Chicago, January 15.] (In: Reform Advocate, v. 16, p. 357—359.)
409. Thoughts on Baroness de Hirsch. (In: American Hebrew, v. 64, p. 805—806.)
410. A united Israel. [Conference sermon at the Atlantic City Rabbinical Conference, July 8.] (In: American Hebrew, v. 63, p. 310—313.)
411. Dr. I. M. Wise and American Judaism. (In: Menorah, v. 26, p. 240—244.)

1900.

412. Esther; or, Woman in the synagogue. [Sermon.] (In: American Hebrew, v. 66, p. 605—607.)
413. Israel's mission of light; or, The task of the Jew. (In: Menorah, v. 27, p. (1)—6.)
414. Licht und Schattenseiten. Vortrag. (In: Menorah, v. 27, p. 95—103.)
415. Spring blossoms upon a fresh grave. [Sermon in memory of Isaac M. Wise.] (In: American Hebrew, v. 66, p. 679—680.)
416. What to do? What to believe? [Sermon.] (In: American Hebrew, v. 67, p. 515—516.)
417. Woman's influence on Judaism. [Address.] (In: American Hebrew, v. 66, p. 303—304.)

Reprinted: Jewish Comment, v. 10; Menorah, v. 29.

1901.

418. Abba, father; title of spiritual leader and saint. (In: Jewish Quarterly Review, v. 13, p. 567—580.)
419. At the parting of the centuries. (In: Menorah, v. 30, p. 65—72.)
420. Baron and Baroness de Hirsch. [Eulogy.] (In: American Hebrew, v. 68, p. 742—743.)
421. The mission of the Jewish Encyclopaedia. [Address at the banquet given by the Judaeans to the editors of the J. E.] (In: American Hebrew, v. 69, p. 43—44.)

Reprinted: "A historic Jewish banquet in the City of New York." p. 13—16.

422. Queen Victoria, the great woman, the friend of the Jews. [Sermon.] (In: American Hebrew, v. 68, p. 341—343.)
423. Shall funeral services be held in the home or synagogue? [Symposium.] (In: American Hebrew, v. 69, p. 106—107.)
424. "Thou art the man!" Anarchy and who is responsible for it. Sermon. (In: American Hebrew, v. 69, p. 481—484.)
425. Zachariah Frankel. (In: Menorah, v. 31, p. 364—366.)
426. Zionist nationalism or prophetic cosmopolitanism? [Reply to an article by H. Szold entitled: "The internal Jewish question: national dissolution or continued existence?" (Maccabaeon, v. 1, no. 2.)] (In: American Hebrew, v. 70, p. 69—71.)

1902.

427. The attitude of Christian scholars toward Jewish literature. (In Menorah, v. 33, p. 91—101.)
428. Bar Mitzvah in the Encyclopedia. [Illustration of article was criticised, and Kohler corrects opinion of the critics.] (In: American Hebrew, v. 71, p. 349—350.)
429. Orthodoxy or hyper-orthodoxy. (In: Jewish Exponent, April 18.)
430. Three discourses on Jewish ethics. With special reference to the Decalogue. (In: Papers presented at the fifth annual session of the summer assembly of the Jewish Chautauqua Society. Philadelphia, 1902. p. 71—91.)
431. Worte der Trauer und des Trostes. Gesprochen an der Bahre des Rev. L. Naumburg. (In: Naumburg, L. — In memoriam. [New York, 1902.] p. 3—15.)
432. Zur Beleuchtung jüdischer Sagen und Bräuche. (In: Mitteil. d. Gesellschaft f. jüd. Volkskunde, Jhrg. 1902, no. 1.)

1903.

433. Address [at the banquet tendered to Kohler by the Judaeans.] (In: American Hebrew, v. 72, p. 653—654.)
434. [Address in response to the speeches made at the farewell exercises, of the Temple Beth-El, N. Y., May 15.] (In: American Hebrew, v. 72, p. 864—865.)
435. Assyriology and the Bible. Paper read before the Rabbinical Conference at Detroit, July 1903. Chicago: Bloch & Newman, 1903. 19 p. 16°.
Reprinted: Reform Advocate; C. C. A. R.-Year Book, v. 13.
436. תהלים The Book of Psalms. [Tr. by K. Kohler.] Philadelphia:

The Jewish Publication Society of America, 1903. 311 p. 32°. (חורר נביאים וכתובים The twenty-four books of the Holy Scripture. Tr. from the Massoretic text for the J. P. S. A.)

437. The [Hebrew Union] College and [The Jewish Theological] Seminary. [Address delivered at the dedication of the new building of the Jewish Theological Seminary of America.] (In: American Hebrew, v. 72, p. 795—796.)

438. The historical development of Jewish charity. Paper read before the Chautauqua session July 26, 1903. Chicago: Bloch & Newman, [1903]. 24 p. 16°.

Reprinted: Reform Advocate.

439. Is Reform Judaism on the decline? Discourse. Philadelphia, 1903. 6 p. 8°. (Sunday lectures before the Congregation Keneseth Israel. Ser. 16, no. 22.)

440. Policy of the Hebrew Union College. Address. (In: Jewish Comment, v. 17, no. 4.)

441. The priestly blessing. Farewell sermon at Temple Beth-El [N. Y.]. (In: American Hebrew, v. 73, p. 113—115.)

Reprinted: Menorah, v. 35.

442. What a Jewish institution of learning should be. Inaugural address [at his installation as President of the H. U. C.] (In: American Hebrew, v. 73, p. 734—736, 760—763.)

Reprinted: Reform Advocate, v. 26; Menorah, v. 35.

443. Zum Kapitel der jüdischen Wohlthätigkeitspflege. Berlin: H. Itzkowski, 1903. 9 p. 8°.

Reprinted: Festschrift z. 70. Geburtstage A. Berliner's.

1904.

444. [Address delivered at the graduation exercises of the Hebrew Union College, June 11.] (In: American Hebrew, v. 75, p. 131—133.)

445. Address at the opening of the Hebrew Union College (1904—1905). (In: Reform Advocate, v. 28, p. 176—178.)

446. Ahad ha-Am-ism an anachronism. (In: American Hebrew, v. 74, p. 767—768.)

447. The four ells of the Halakah, and the requirements of a modern Jewish theological school. (In: Hebrew Union College Annual. [v. 1.] p. 8—25.)

448. A leaf upon the fresh grave of Dr. Herman Baar. (In: American Hebrew, v. 75, p. 463—464.)

Reprinted: Reform Advocate, v. 28; Menorah, v. 37.

449. Mendes, H. P.: Can reform Jews now support the Hebrew Union College on its new platform? [A reply.] (In: American Hebrew, v. 75, p. 661—662.)
450. [Modern Judaism and] the Hebrew Union College. Sermon. (In: American Hebrew, v. 75, p. 629—630.)
451. Outlook of Judaism. Address. (In: American Israelite, v. 51, no. 5.)
452. Rede zur Trauungsfeier des Kgl. Amtsrichters A. Kohler mit Gisela Mandelbaum gehalten in der Synagoge zu Nürnberg am 24. Juli 1904. Nürnberg [1904]. 8 p. 8°.
453. "Self-government is bound to end in failure." [Symposium on: "Why not take advantage of England's offer?" (to form an East African company for the purpose of exploiting Uganda in the interest of the Jews.)] (In: Jewish Comment, v. 20, no. 11.)
454. What about "moral Zionism"? (In: Reform Advocate, v. 27, p. 248—249.)

1905.

455. Address [delivered at the twenty-fifth anniversary celebration of the installation of Emil G. Hirsch as Rabbi of the Chicago Sinai Congregation.] (In: Reform Advocate, v. 3, p. 236—238.)
456. Judaism wants men of the spirit. Address to the graduates [of the Hebrew Union College, June 17.] (In: Reform Advocate, v. 29, p. 604—605.)
457. Maimonides and Rashi. Lecture. (In: Reform Advocate, v. 30, p. 38—41.)
Reprinted: Menorah, v. 39.
458. The Pharisees, the Nazarenes, and demons. A reply [to Dr. Dembitz's criticisms of some of Kohler's articles in the J. E.] (In: American Hebrew, v. 76, p. 639—640.)
459. Religion is peace. Sermon. (In: American Hebrew, v. 77, 1905, p. 379—380.)
Reprinted: Menorah, v. 39.
460. Report of the Committee on the Theological Aspect of Reformed Judaism, and on a motion to have a creed of Reformed Judaism prepared for final adoption by a synod. (Submitted to the Conference of American Rabbis.) By K. Kohler, chairman. (In: Reform Advocate, v. 29, p. 694—697, 721—723, 748—750, 773—774.)
461. Room for all. Address. (In: Two (The) hundred and fiftieth anniversary of the settlement of the Jews in the United States. Addresses. [New York], 1905. 8°. p 131—141.)

1906.

462. [Address (Introductory words) at the consecration services for the graduates of the Hebrew Union College, June.] (In: *Reform Advocate*, v. 31, p. 601—602.)
463. Be strong and of good courage! [Address delivered at the ordination exercises of the graduates of the Hebrew Union College, June.] (In: *Reform Advocate*, v. 31, p. 602—605.)
Reprinted: *American Hebrew*, v. 79.
464. Die dreizehn Artikel des Maimonides und das Glaubenssystem des modernen Judenthums. (In: *Allg. Zeit. d. Judenth.*, Jhrg. 70, p. 416—417, 428—429, 437—439, 450—451, 464—466, 478—479, 487—488.)

1907.

465. Address delivered before conferring the degree of Rabbi at the graduation exercises of the Hebrew Union College. (In: *Reform Advocate*, v. 33, p. 501—502.)
466. The claim of academic freedom for Zionism at the Hebrew Union College. (In: *Jewish Exponent*, v. 44, no. 25.)
467. The dangers, the fallacies and the falsehoods of Zionism. (In: *Reform Advocate*, v. 33, p. 258—259, 283—285, 349—350.)
468. Is American Judaism declining? [Symposium.] (In: *The Chronicler*, v. 1, no. 42.)
469. The origin and function of ceremonies in Judaism. (In: *C. C. A. R.-Year book*, v. 17, p. 205—229.)
470. Reform theology and Zionism. (In: *Reform Advocate*, v. 33, p. 199—200.)
Reprinted: *American Hebrew*, v. 80.
471. Zionism or Judaism — which? A counter statement [to S. Schechter's article in *The American Hebrew*, Dec. 25, 1906]. (In: *American Israelite*, v. 53, no. 29.)
Reprinted: *Menorah*, v. 42, p. (40)—43.

1908.

472. Address at the conferring of the degree of Rabbi at the commencement exercises of the Hebrew Union College, [in June]. (In: *Reform Advocate*, v. 35, p. 618—619.)
Reprinted: Twenty-fifth anniversary of the first graduation from the H. U. C. p. 21—25.)
473. [Address delivered at the opening exercises of the thirty-fourth

- scholastic year of the Hebrew Union College, October.] (In: American Israelite, v. 55, no. 16.)
474. In memoriam — Moritz Ellinger. (In: Reform Advocate, v. 35, p. (69)—70.)
475. Wer waren die Zeloten oder Kannaim? Eine Studie. (In: Harkavy, A.: Festschrift, St. Petersburg, 1908, p. 6—18.)
476. What will become of Reform Judaism? [Symposium.] (In: American Hebrew, v. 84, p. 63.)

1909.

477. Address at the opening of the Hebrew Union College, October. (In: Jewish Comment, v. 30, no. 1.)
Reprinted: Jewish Criterion, v. 28; Reform Advocate, v. 38; The Temple [Louisville], v. 1.
478. Bergmann, J.: Jüdische Apologetik im neutestamentlichen Zeitalter. Berlin, 1908. [Review of.] (In: American Journal of Theology, v. 13, p. 444—446.)
479. The conflict between realism and idealism. (In: Modern sermons by world scholars. New York, [1909]. 16^o. v. 5, p. 137—148.)
480. David Einhorn, the uncompromising champion of Reform Judaism, A biographical essay. Written for the one hundredth anniversary of his birth. (In: C. C. A. R.-Year book, v. 19, p. 215—270.)
Abstract of this paper in: American Hebrew, v. 86, p. 34.
481. David Einhorn. Zu seinem hundertjährigen Geburtstag. (In: Liberales Judentum, Jhrg. 1, p. 375—380.)
482. Einhorn on race Judaism. (In: American Israelite, v. 56, no. 23.)
483. [Isaac M. Wise. Address delivered at the unveiling ceremonies of the Isaac M. Wise Memorial Window in Temple Keneseth Israel, Philadelphia, January 21.] (In: American Israelite, v. 55, no. 31.)
484. Oesterley, W. O. E., and Box, G. W.: The religion and worship of the synagogue. New York, 1907. [Review of.] (In: American Journal of Theology, v. 13, p. 439—443.)
485. Eine Prophetenstimme aus dem Grabe. [Review of M. Lazarus' Die Erneuerung des Judentums.] (In: Liberales Judentum, Jhrg. 1, p. 233—236.)
486. Das Reformjudentum und die deutsche Judenheit. (In: Liberales Judentum, Jhrg. 1, p. (193)—197.)
487. Remarks on the Bible. Letter to the Am. Heb. [regarding the pronunciamento against the C. C. A. R. by the Union of Orthodox

Jewish Congregations; explaining his attitude towards the Bible and revelation.] (In: *American Hebrew*, v. 86, p. 155.)

Reprinted: *American Israelite*, v. 56.

488. Die weltgeschichtliche Bedeutung des jüdischen Handels. Vortrag. (In: *Jahrbuch für jüdische Geschichte und Literatur*, Bd. 12, p. 90—109.)
489. Worte der Trauer und des Trostes, gesprochen an der Bahre der Frau Julie Henriette Einhorn, geb. Ochs, geboren am 10ten Nov. 1817, gestorben am 16ten Mai 1909. [New York, 1909.] 6 p. 8°.

1910.

490. Abraham Geiger, the master builder of modern Judaism. [Oration delivered on the Geiger centennial celebration, May 28.] (In: *American Israelite*, v. 56, no. 50.)
491. Abraham Geiger, der Baumeister des modernen Judentums. [Translation.] (In: *Allg. Zeit. d. Judenth.*, Jhrg. 44, p. 402—403, 412—414.)
492. American Judaism as represented by the Union of American Hebrew Congregations and the Hebrew Union College. (In: *American Israelite*, v. 57, no. 31.)
493. Die Bedeutung des Weins und des Biers bei Festgelagen. Essay. (In: „Westliche Blätter“; [supplement] *Cincinnati Volksblatt*, Dec. 25.)
494. Der Einfluß des Deutschthums auf Amerika. Festrede [at the celebration of Washington's birthday by the “Deutsche Pioniere”]. (In: *Cincinnati Volksblatt*, Febr. 23.)
495. Grundriß einer systematischen Theologie des Judentums auf geschichtlicher Grundlage. Leipzig: G. Fock, 1910. 4 p. l., 383 (1) p. 8°. (Gesellschaft zur Förderung der Wissenschaft des Judentums in Berlin. Schriften.)

Forming part of series: *Grundriß der Gesamtwissenschaft des Judentums*.

496. Gustav Karpeles. (In: *American Jewish Historical Society. — Publications*, no. 19, p. 184—189.)
497. Dr. Kohler defends Reform Judaism. [An answer to a sermon by J. L. Magnes.] (In: *American Israelite*, v. 59, no. 47.)
- Reprinted: *American Hebrew*, v. 87.

498. Oesterley, W. O.: *The Psalms in the Jewish church*. London. [Review of.] (In: *Jewish Quarterly Review*. N. S., v. 1, p. 539—545.)
499. Seltsame Vorstellungen und Bräuche in der biblischen und rabbinischen

schen Literatur. Ein Beitrag zur vergleichenden Sagenkunde. (In: *Archiv für Religionswissenschaft*, Bd. 13, p. 75—84.)

— Verbot des Knochenzerbrechens (Nachtrag zu oben p. 84. (p. 153—154.).

500. Words of both, words of living God. [Symposium: Is a reconciliation between Reform and Orthodoxy possible?] (In: *Yiddischer Tageblatt*, v. 26, no. 67. [Jubilee Number.]
501. "The world is the field of the Jew!" Leopold Stein's centennial. (In: *American Israelite*, v. 57, no. 20.)

1911.

502. A chapter on ethics. Paper. (In: *Reform Advocate*, v. 41, p. 469—473.)

503. Einhorn, D.: Memorial volume. Selected sermons and addresses [in German]. Edited [with a preface and] a biographical essay by K. Kohler. New York: Block Pub. Co., 1911, VI, VIII, 482 p., 4 port. 8°.

The sermons and addresses are a reprint of the ed. 1880. The essay by Kohler is reprinted from the C. C. A. R.-Year Book, v. 19.

504. A day of precious memories and bright hopes. Address at the laying of the corner-stone of the Hebrew Union College buildings at Cincinnati, April 23. (In: *American Israelite*, v. 57, no. 43.)

Reprinted: *American Hebrew*, v. 89, p. 13. (Abstract)

505. Ein Tag köstlicher Erinnerungen und glänzender Hoffnungen. [Translation.] (In: *Allg. Zeit. d. Judenth.*, Jhrg. 75, p. 354—355.)
506. Dositheus, the Samaritan heresiarch, and his relations to Jewish and Christian doctrines and sects. [A study of S. Schechter's Documents of Jewish Sectaries.] (In: *American Journal of Theology*, v. 15, p. 404—435.)
507. The Hebrew Union College. [Address.] (In: U. A. H. C.—22 council. [Souvenir.] New York, 1911. 8°, p. 21—31.)
- Judaism—Commerce. (In: *Encyclopaedia Americana* [New ed. of 1911 (?)].)

1912.

508. "From strength to strength." Address at the opening of the H. U. C. in the new building on Sept. 23rd 1912. (In: *Reform Advocate*, v. 44, p. 231—233.)
509. Die Nächstenliebe im Judentum. Eine historische Studie. (In: Cohen, H.: *Festschrift*. Leipzig. 1912. p. 470—480.)

1913.

510. Dr. [Joseph] Krauskopf and the Hebrew Union College. [Address.] (In: *Jewish Exponent*, v. 56, no. 15.)
511. The purpose and mission of the Hebrew Union College. [Address at the dedication of the new H. U. C. buildings.] (In: *American Israelite*, v. 59, no. 30.)
512. Revelation and prophecy. A discourse delivered before a Christian Sabbath School Society. (In: *Reform Advocate*, v. 44, no. 21.)

Appendix A.

Articles in the Jewish Encyclopedia. (1901—1906).

513—801. Aaron. — In Apocryphal and Biblical literature; Aaron ben Elijah, the younger, of Nicomedia; Aaron ben Hayyim ha-Kohen (called the Saint); Aaron ben Jacob ben David ha-Kohen; Aaron of Jerusalem, Karaite; Aaron ben Joseph, the Karaite (called the Elder); Ab [month of]; Ab, ninth day of; Ab, fifteenth day of; Abba. — In theology; Abba Mari ben Moses ben Joseph Don Astruc of Lunel; Ab Bet Din; Abd-al-Daim; Abel-Beth-Maachah; Abele Zion; Aberle (Abril), Solomon b. Abraham; Aberles, Isaac b. Abraham Cohen Zedek of Cracow; Abibas; Abin or Abun; Abinu Malkenu; Ablution. — Historical presentation; Abner; 'Abodah; Abracadabra; Abraham. — In Apocryphal and Rabbinical literature; Abraham's bosom; Abraham, Tower of; Abraham ben Samuel Cohen of Lask, "the Hasid of Amsterdam"; Abraham ben Simeon ben Judah ben Simeon of Worms; Absalom. — In Rabbinical literature; Abstinence; Abudarham (or Abudrahim), David ben Joseph ben David; Abyss; Acacia. — In Rabbinical literature; Achan; Acheron, or Acherusian Lake; Adam. — In Apocryphal and Rabbinical literature; Adar, [month of]; Adar, The seventh of; Adar Sheni (Weadar); Adonai; Adon 'Olam, [supplement]; Adoption; Adventists; Afendopolo, Caleb b. Elijah b. Judah; Afikomen; Agabus; Agape; Agriculture. — Historical aspects; Ahab. — In Rabbinical literature; Ahab, Son of Kolaiah. — In Rabbinical literature; Ahabah Rabbah and Ahabat 'Olam; Ahaz, King of Judah. — In Rabbinical literature; Ahijah (The Prophet). — In Rabbinical literature; Ahithopel. — In Rabbinical literature; Ahriman. — In Rabbinical literature; Akiba ben Joseph, Alphabet of; 'Akkum; Albo, Joseph, [supplement]; Aldabi, Meir Ibn, [supplement]; 'Alenu; Aleph; Alexander the Great, [supplement]; 'Aliyah; Almemar or Almemor, [supplement]; Alms; Alpha; Alpha and Omega; Altar. — In Rabbinical literature; Amalek, Amalekites. — In Rabbinical literature; Am Ha-Arez; Amarkol; Amiltai; Ammon, Ammonites. — In Rabbinical literature; Amon; Amon, King of Judah. — In Rabbinical literature; Amorites. — In Rabbinical

and Apocryphal literature; Amos. — In Rabbinical literature; Amram, father of Moses. — In Rabbinical literature; Amram of Mayence; Amraphel. — In Rabbinical and Hellenistic literature; Anathema, [supplement]; Ancient of days. — In Rabbinical literature; Angeology. — General historical development; Anger. — In Rabbinical literature; Anna; Anointing. — In Rabbinical literature; Antinomianism, [supplement]; Apion; Apollos; Apostasy and Apostates from Judaism; Apostle and Apostleship; Apostomus, [supplement]; Apple. — In Biblical and Rabbinical literature; Apple of Sodom; Archipherecites; Army. — Ancient and Medieval; Art, Attitude of Judaism toward; Articles of faith, [supplement]: The Articles; 'Aruk; Arzareth; Asa. — In Rabbinical literature; Ascetics; Asenath. — In Rabbinical literature; Asher, Anshel ben Isaac; Astrology. — In medieval times; Asusa, Asuta; Athronges; Atonement; Authority, Rabbinical; Azazel. — In Biblical, Apocryphal, and Rabbinical literature; 'Azzut Panim; Ba'al, [supplement]; Baba, (the Great); Balaam. — In Hellenistic and Haggadic literature; Balsam. — In Hellenistic and Rabbinical literature; Ban; Banishment; Banquets; Bar Jesus; Bar Mizwah; Barches; Barefoot. — In Rabbinical literature; Barnabas, Joses; Bartholomew; Batlanim; Bauer, Bruno; Beelzebub or Beelzebul; Beer, Alexander; Belial. — In Rabbinical and Apocryphal literature; Benedictions; Benjamin. — Biblical Data, [and] Critical view; Benschen; Beschreien; Bet Ha-Midrash; Binding and loosing; Birds as souls; Birth, New; Book of life; Bread; Bride; Brother; Brotherly Love; Burial; Cabala. — Name and origin; Cain. — In Rabbinical literature; Cantheras; Cemetery; Ceremonies and the Ceremonial Law; Charity and Charitable Institutions. — Ancient and medieval times; China. — History; China. — Religious customs; Chosen People; Christ; Christian; Christianity in its relation to Judaism; Circumcision; Cloud. — In Rabbinical literature; Commandment; Confession of Sin. — In Hellenistic literature and in the Liturgy; Consolation; Conversion to Christianity; Converts to Christianity, modern; Corner-stone; Cosmogony. — In post-Biblical literature; Covenant. — Biblical data; Creature; Cross; Crown. — In post-Biblical times; Dead, Duty to the; Death, Angel of. — In Arabic literature; Death, Views and Customs concerning. — In Biblical and Apocryphal literature; Deborah. — In Rabbinical literature; Demonology. — Biblical and post-Biblical data, [and] In Rabbinical literature; Dew; Didache; Didascalia; Dietary Laws. — From the traditional point of view, [and] Considered historically and from the critico-historical and Reform point of view; Disinterment; Disputations; Divination; Dog; Dukan; Dumah; Dwarf, [supplement]; East; Easter; Ebionites; Ehad

Mi Yodea'; Einhorn, David; Eldad and Medad; Eleasar ben Zita Abu Al-Sari; Elijah. — In medieval folk-lore; Emet we-Yazzib; Eschatology; Esdras II., [supplement]; Essenes; Ethics. — In Apocryphal and Rabbinical literature; Exile; Faith; Habdalah, [supplement]; Hanukkah; Hatred; Heaven; Hemerobaptists; Heresy and Heretics; Hermes, Books of; Herodians; Hibbut ha-Keber; Holiness; Holle Kreisch; Honor; Hosanna; Huppah; Hypocrisy; Hypsistarians; Immortality of the Soul; Inspiration; Jabez; Jacob, Blessing of. — Biblical data; James, [name of 3 persons prominent in N. T. history]; James, General Epistle of; Jannes and Jambres; Januarius; Jeremiah, Epistles of; Jesus. — In theology; Job, Testament of; John the Baptist; Joseph of Arimathea; Joy; Jubilees, Book of; Judaism; Judas the Essene; Judas Iscariot; Judgement, Divine; Kaddish; Kainan; Kapparrah; Karaism; Kiddush ha-Shem and Hillul ha-Shem; Kingdom of God; Korban; Labor; Law, Reading from the; Levi. — In Apocryphal and Rabbinical literature; Leviathan and Behemoth. — Biblical data, [and] in Apocryphal literature; Life; Light; Lightning, Benediction on; Lord's Prayer, The; Lord's Supper; Love; Lucifer; Luz; Lying; Man, Son of; Mediator; Melchizedek; Memorial Service; Memra; Menahem the Essene; Merkabah; Miracle; Moses. — In Hellenistic literature; Nasi; New Moon; New Testament; Nomism, [supplement]; Paraclete; Pharisees; Pre-existence; Purgatory; Repentance, [supplement]; Resurrection, [supplement]; Revelation, (Book of); Revelation; Sadducees; Saul of Tharsus, or Paul; Simon Cephas, or Peter; Simon Magus, [supplement]; Skeptic; Taxo; Tehina, Abba; Testaments of the Twelve Patriarchs; Therapeutae; Wisdom; Wisdom of Solomon, Book of the; Yezirah, Sefer; Zealots.

Appendix B.

Editorial Work.

- Sabbath Visitor. [Weekly; editor-in-chief.] 1881—1882.
 Jewish Reformer. [Weekly; English and German.] 1886.
 English Version of the Bible. [In preparation by the Jewish Publication Society of America, Philadelphia. Associate editor 1898—1902; since 1908, member of the Revision Committee.]
 Jewish Encyclopedia. [Editor: Departments of Theology and Philosophy.] 1901—1906.
 Union of American Hebrew Congregations. — Department of Synagogue and School Extensio. Publications. [Associate-editor since 1912.]
-

1870
1871
1872
1873
1874
1875
1876
1877
1878
1879
1880
1881
1882
1883
1884
1885
1886
1887
1888
1889
1890
1891
1892
1893
1894
1895
1896
1897
1898
1899
1900

1901
1902
1903
1904
1905
1906
1907
1908
1909
1910
1911
1912
1913
1914
1915
1916
1917
1918
1919
1920
1921
1922
1923
1924
1925
1926
1927
1928
1929
1930
1931
1932
1933
1934
1935
1936
1937
1938
1939
1940
1941
1942
1943
1944
1945
1946
1947
1948
1949
1950
1951
1952
1953
1954
1955
1956
1957
1958
1959
1960
1961
1962
1963
1964
1965
1966
1967
1968
1969
1970
1971
1972
1973
1974
1975
1976
1977
1978
1979
1980
1981
1982
1983
1984
1985
1986
1987
1988
1989
1990
1991
1992
1993
1994
1995
1996
1997
1998
1999
2000

2001
2002
2003
2004
2005
2006
2007
2008
2009
2010
2011
2012
2013
2014
2015
2016
2017
2018
2019
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
2031
2032
2033
2034
2035
2036
2037
2038
2039
2040
2041
2042
2043
2044
2045
2046
2047
2048
2049
2050
2051
2052
2053
2054
2055
2056
2057
2058
2059
2060
2061
2062
2063
2064
2065
2066
2067
2068
2069
2070
2071
2072
2073
2074
2075
2076
2077
2078
2079
2080
2081
2082
2083
2084
2085
2086
2087
2088
2089
2090
2091
2092
2093
2094
2095
2096
2097
2098
2099
2100

2101
2102
2103
2104
2105
2106
2107
2108
2109
2110
2111
2112
2113
2114
2115
2116
2117
2118
2119
2120
2121
2122
2123
2124
2125
2126
2127
2128
2129
2130
2131
2132
2133
2134
2135
2136
2137
2138
2139
2140
2141
2142
2143
2144
2145
2146
2147
2148
2149
2150
2151
2152
2153
2154
2155
2156
2157
2158
2159
2160
2161
2162
2163
2164
2165
2166
2167
2168
2169
2170
2171
2172
2173
2174
2175
2176
2177
2178
2179
2180
2181
2182
2183
2184
2185
2186
2187
2188
2189
2190
2191
2192
2193
2194
2195
2196
2197
2198
2199
2200

2201
2202
2203
2204
2205
2206
2207
2208
2209
2210
2211
2212
2213
2214
2215
2216
2217
2218
2219
2220
2221
2222
2223
2224
2225
2226
2227
2228
2229
2230
2231
2232
2233
2234
2235
2236
2237
2238
2239
2240
2241
2242
2243
2244
2245
2246
2247
2248
2249
2250
2251
2252
2253
2254
2255
2256
2257
2258
2259
2260
2261
2262
2263
2264
2265
2266
2267
2268
2269
2270
2271
2272
2273
2274
2275
2276
2277
2278
2279
2280
2281
2282
2283
2284
2285
2286
2287
2288
2289
2290
2291
2292
2293
2294
2295
2296
2297
2298
2299
2300

25972

BM

25972

40

S75

Studies in Jewish literature,
issued in honor of Professor
Kaufmann Kohler.

DATE DUE

BORROWER'S NAME

NO 3 - '71

Studies in Jewish Literature.

**THEOLOGY LIBRARY
SCHOOL OF THEOLOGY AT CLAREMONT
CLAREMONT, CALIFORNIA**



PRINTED IN U.S.A.

